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THE VATICAN DECREES

IN THEIR BEARING ON

CIVIL ALLEGIANCE:

A POLITICAL EXPOSTULATION.

BY THE

RIGHT HON. W. E. GLADSTONE, M. P.

WITH THE

REPLIES OF ARCHBISHOP MANNING AND LORD ACTON.

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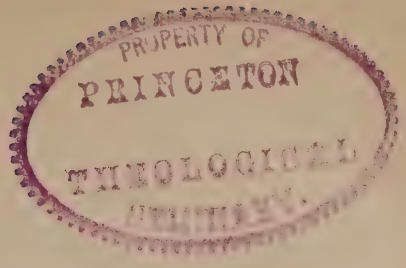

THE VATICAN DECREES

IN THEIR BEARING ON

CIVIL ALLEGIANCE.

I. The Occasion and Scope of this Tract.

In the prosecution of a purpose not polemical but pacific, I have been led to employ words which belong, more or less, to the region of religious controversy; and which, though they were themselves few, seem to require, from the various feelings they have aroused, that I should carefully define, elucidate, and defend them. The task is not of a kind agreeable to me; but I proceed to perform it.

Among the causes, which have tended to disturb and perplex the public mind in the consideration of our own religious difficulties, one has been a certain alarm at the aggressive activity and imagined growth of the Roman Church in this country. All are aware of our susceptibility on this side; and it was not, I think, improper for one who desires to remove everything that can interfere with a calm and judicial

temper, and who believes the alarm to be groundless, to state, pointedly though briefly, some reasons for that belief.

Accordingly, I did not scruple to use the following language, in a paper inserted in the number of the 'Contemporary Review' for the month of October. I was speaking of "the question whether a handful of the clergy are or are not engaged in an utterly hopeless and visionary effort to Romanise the Church and people of England."

"At no time since the bloody reign of Mary has such a scheme been possible. But if it had been possible in the seventeenth or eighteenth centuries, it would still have become impossible in the nineteenth: when Rome has substituted for the proud boast of *semper eadem* a policy of violence and change in faith; when she has refurbished, and paraded anew, every rusty tool she was fondly thought to have disused; when no one can become her convert without renouncing his moral and mental freedom, and placing his civil loyalty and duty at the mercy of another; and when she has equally repudiated modern thought and ancient history." *

Had I been, when I wrote this passage, as I now am, addressing myself in considerable measure to my Roman Catholic fellow-countrymen, I should have striven to avoid the seeming roughness of some of

* 'Contemporary Review,' Oct., 1874, p. 674.

these expressions; but as the question is now about their substance, from which I am not in any particular disposed to recede, any attempt to recast their general form would probably mislead. I proceed, then, to deal with them on their merits.

More than one friend of mine, among those who have been led to join the Roman Catholic communion, has made this passage the subject, more or less, of expostulation. Now, in my opinion, the assertions which it makes are, as coming from a layman who has spent most and the best years of his life in the observation and practice of politics, not aggressive but defensive.

It is neither the abettors of the Papal Chair, nor any one who, however far from being an abettor of the Papal Chair, actually writes from a Papal point of view, that has a right to remonstrate with the world at large; but it is the world at large, on the contrary, that has the fullest right to remonstrate, first with His Holiness, secondly with those who share his proceedings, thirdly even with such as passively allow and accept them.

I therefore, as one of the world at large, propose to expostulate in my turn. I shall strive to show to such of my Roman Catholic fellow-subjects as may kindly give me a hearing that, after the singular steps which the authorities of their Church have in these last years thought fit to take, the people

of this country, who fully believe in their loyalty, are entitled, on purely civil grounds, to expect from them some declaration or manifestation of opinion, in reply to that ecclesiastical party in their Church who have laid down, in their name, principles adverse to the purity and integrity of civil allegiance.

Undoubtedly my allegations are of great breadth. Such broad allegations require a broad and a deep foundation. The first question which they raise is, Are they, as to the material part of them, true? But even their truth might not suffice to show that their publication was opportune. The second question, then, which they raise is, Are they, for any practical purpose, material? And there is yet a third, though a minor, question, which arises out of the propositions in connection with their authorship, Were they suitable to be set forth by the present writer?

To these three questions I will now set myself to reply. And the matter of my reply will, as I conceive, constitute and convey an appeal to the understandings of my Roman Catholic fellow-countrymen, which I trust that, at the least, some among them may deem not altogether unworthy of their consideration.

From the language used by some of the organs of Roman Catholic opinion, it is, I am afraid, plain that in some quarters they have given deep offence.

Displeasure, indignation, even fury, might be said to mark the language which in the heat of the moment has been expressed here and there. They have been hastily treated as an attack made upon Roman Catholics generally, nay, as an insult offered them. It is obvious to reply, that of Roman Catholics generally they state nothing. Together with a reference to "converts," of which I shall say more, they constitute generally a free and strong animadversion on the conduct of the Papal Chair, and of its advisers and abettors. If I am told that he who animadverts upon these assails thereby, or insults, Roman Catholics at large, who do not choose their ecclesiastical rulers, and are not recognised as having any voice in the government of their Church, I cannot be bound by or accept a proposition which seems to me to be so little in accordance with reason.

Before all things, however, I should desire it to be understood that, in the remarks now offered, I desire to eschew not only religious bigotry, but likewise theological controversy. Indeed, with theology, except in its civil bearing, with theology as such, I have here nothing whatever to do. But it is the peculiarity of Roman theology that, by thrusting itself into the temporal domain, it naturally, and even necessarily, comes to be a frequent theme of political discussion. To quiet-minded Roman Catholics, it must be a subject of infinite annoyance, that

their religion is, on this ground more than any other, the subject of criticism; more than any other, the occasion of conflicts with the State and of civil disquietude. I feel sincerely how much hardship their case entails. But this hardship is brought upon them altogether by the conduct of the authorities of their own Church. Why did theology enter so largely into the debates of Parliament on Roman Catholic Emancipation? Certainly not because our statesmen and debaters of fifty years ago had an abstract love of such controversies, but because it was extensively believed that the Pope of Rome had been and was a trespasser upon ground which belonged to the civil authority, and that he affected to determine by spiritual prerogative questions of the civil sphere. This fact, if fact it be, and not the truth or falsehood, the reasonableness or unreasonableness, of any article of purely religious belief, is the whole and sole cause of the mischief. To this fact, and to this fact alone, my language is referable: but for this fact, it would have been neither my duty nor my desire to use it. All other Christian bodies are content with freedom in their own religious domain. Orientals, Lutherans, Calvinists, Presbyterians, Episcopalians, Nonconformists, one and all, in the present day, contentedly and thankfully accept the benefits of civil order; never pretend that the State is not its own master; make no

religious claims to temporal possessions or advantages; and, consequently, never are in perilous collision with the State. Nay, more, even so I believe it is with the mass of Roman Catholics individually. But not so with the leaders of their Church, or with those who take pride in following the leaders. Indeed, this has been made matter of boast:—

"There is not another Church so called" (than the Roman), "nor any community professing to be a Church, which does not submit, or obey, or hold its peace, when the civil governors of the world command."—"The Present Crisis of the Holy See," by H. E. Manning, D. D. London, 1861, p. 75.

The Rome of the Middle Ages claimed universal monarchy. The modern Church of Rome has abandoned nothing, retracted nothing. Is that all? Far from it. By condemning (as will be seen) those who, like Bishop Doyle in 1826,* charge the mediæval Popes with aggression, she unconditionally, even if covertly, maintains what the mediæval Popes maintained. But even this is not the worst. The worst by far is that whereas, in the national Churches and communities of the Middle Ages, there was a brisk, vigorous, and constant opposition to these outrageous claims, an opposition which stoutly asserted its own orthodoxy, which always caused itself to be respected, and which even sometimes gained the upper hand; now, in this nine-

* Lords' Committee, March 18, 1826. Report, p. 190.

teenth century of ours, and while it is growing old, this same opposition has been put out of court, and judicially extinguished within the Papal Church, by the recent decrees of the Vatican. And it is impossible for persons accepting those decrees justly to complain, when such documents are subjected in good faith to a strict examination as respects their compatibility with civil right and the obedience of subjects.

In defending my language, I shall carefully mark its limits. But all defence is reassertion, which properly requires a deliberate reconsideration; and no man who thus reconsiders should scruple, if he find so much as a word that may convey a false impression, to amend it. Exactness in stating truth according to the measure of our intelligence, is an indispensable condition of justice, and of a title to be heard.

My propositions, then, as they stood, are these:—

1. That "Rome has substituted for the proud boast of *semper eadem*, a policy of violence and change in faith."

2. That she has refurbished and paraded anew every rusty tool she was fondly thought to have disused.

3. That no one can now become her convert without renouncing his moral and mental freedom, and placing his civil loyalty and duty at the mercy of another.

4. That she ("Rome") has equally repudiated modern thought and ancient history.

II. The First and the Fourth Propositions.

Of the first and fourth of these propositions I shall dispose rather summarily, as they appear to belong to the theological domain. They refer to a fact, and they record an opinion. One fact to which they refer is this: that, in days within my memory, the constant, favorite, and imposing argument of Roman controversialists was the unbroken and absolute identity in belief of the Roman Church from the days of our Saviour until now. No one, who has at all followed the course of this literature during the last forty years, can fail to be sensible of the change in its present tenor. More and more have the assertions of continuous uniformity of doctrine receded into scarcely penetrable shadow. More and more have another series of assertions, of a living authority, ever ready to open, adopt, and shape Christian doctrine according to the times, taken their place. Without discussing the abstract compatibility of these lines of argument, I note two of the immense practical differences between them. In the first, the office claimed by the Church is principally that of a witness to facts; in the second, principally that of a judge, if not a revealer, of doctrine. In the first, the

processes which the Church undertakes are subject to a constant challenge and appeal to history; in the second, no amount of historical testimony can avail against the unmeasured power of the theory of development. Most important, most pregnant considerations, these, at least for two classes of persons: for those who think that exaggerated doctrines of Church power are among the real and serious dangers of the age; and for those who think that against all forms, both of superstition and of unbelief, one main preservative is to be found in maintaining the truth and authority of history, and the inestimable value of the historic spirit.

So much for the fact; as for the opinion that the recent Papal decrees are at war with modern thought, and that, purporting to enlarge the necessary creed of Christendom, they involve a violent breach with history, this is a matter unfit for me to discuss, as it is a question of Divinity; but not unfit for me to have mentioned in my article, since the opinion given there is the opinion of those with whom I was endeavoring to reason, namely, the great majority of the British public.

If it is thought that the word violence is open to exception, I regret I cannot give it up. The justification of the ancient definitions of the Church, which have endured the storms of 1,500 years, was to be found in this, that they were not arbitrary or wilful,

but that they wholly sprang from, and related to, theories rampant at the time, and regarded as menacing to Christian belief. Even the canons of the Council of Trent have, in the main, this amount, apart from their matter, of presumptive warrant. But the decrees of the present perilous Pontificate have been passed to favor and precipitate prevailing currents of opinion in the ecclesiastical world of Rome. The growth of what is often termed among Protestants Mariolatry, and of belief in Papal Infallibility, was notoriously advancing, but it seems not fast enough to satisfy the dominant party. To aim the deadly blows of 1854* and 1870 at the old historic, scientific, and moderate school, was surely an act of violence; and with this censure the proceeding of 1870 has actually been visited by the first living theologian now within the Roman communion; I mean Dr. John Henry Newman, who has used these significant words, among others: "Why should an aggressive and insolent faction be allowed to make the heart of the just sad, whom the Lord hath not made sorrowful?" †

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* Decree of the Immaculate Conception.

† *See* the remarkable letter of Dr. Newman to Bishop Ullathorne, in the 'Guardian' of April 6, 1870.

III. The Second Proposition.

I take next my second proposition: that Rome has refurbished, and paraded anew, every rusty tool she was fondly thought to have disused.

Is this, then, a fact, or is it not?

I must assume that it is denied; and therefore I cannot wholly pass by the work of proof. But I will state in the fewest possible words, and with references, a few propositions, all the holders of which have been *condemned* by the See of Rome during my own generation, and especially within the last twelve or fifteen years. And, in order that I may do nothing toward importing passion into what is matter of pure argument, I will avoid citing any of the fearfully energetic epithets in which the condemnations are sometimes clothed:

1. Those who maintain the liberty of the press. Encyclical Letter of Pope Gregory XVI., in 1831, and of Pope Pius IX., in 1864.

2. Or the liberty of conscience and of worship Encyclical of Pius IX., December 8, 1864.

3. Or the liberty of speech. 'Syllabus' of March 18, 1861. Prop. lxxix. Encyclical of Pope Pius IX., December 8, 1864.

4. Or who contend that Papal judgments and decrees may, without sin, be disobeyed, or differed

from, unless they treat of the rules (*dogmata*) of faith or morals. Ibid.

5. Or who assign to the State the power of defining the civil rights (*jura*) and province of the Church. 'Syllabus' of Pope Pius IX., March 8, 1861. Ibid. Prop. xix.

6. Or who hold that Roman Pontiffs and Ecumenical Councils have transgressed the limits of their power, and usurped the rights of princes. Ibid. Prop. xxiii.

(*It must be borne in mind, that "Ecumenical Councils" here mean Roman Councils not recognised by the rest of the Church. The Councils of the early Church did not interfere with the jurisdiction of the civil power.*)

7. Or that the Church may not employ force. (*Ecclesia vis inferendæ potestatem non habet.*) 'Syllabus,' Prop. xxiv.

8. Or that power, not inherent in the office of the Episcopate, but granted to it by the civil authority, may be withdrawn from it at the discretion of that authority. Ibid. Prop. xxv.

9. Or that the (*immunitas*) civil immunity of the Church and its ministers depends upon civil right. Ibid. Prop. xxx.

10. Or that in the conflict of laws, civil and ecclesiastical, the civil law should prevail. Ibid. Prop. xlii.

11. Or that any method of instruction of youth, solely secular, may be approved. Ibid. Prop. xlviii.

12. Or that knowledge of things, philosophical and civil, may and should decline to be guided by Divine *and Ecclesiastical* authority. Ibid. Prop. lvii.

13. Or that marriage is not in its essence a Sacrament. Ibid. Prop. lxvi.

14. Or that marriage, not sacramentally contracted (*si sacramentum excludatur*), has a binding force. Ibid. Prop. lxxiii.

15. Or that the abolition of the Temporal Power of the Popedom would be highly advantageous to the Church. Ibid. Prop. lxxvi. Also lxx.

16. Or that any other religion than the Roman religion may be established by a State. Ibid. Prop. lxxvii.

17. Or that in "Countries called Catholic," the free exercise of other religions may laudably be allowed. 'Syllabus,' Prop. lxxviii.

18. Or that the Roman Pontiff ought to come to terms with progress, liberalism, and modern civilization. Ibid. Prop. lxxx.*

This list is now perhaps sufficiently extended, although I have as yet not touched the decrees of 1870. But, before quitting it, I must offer three observations on what it contains.

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* For the original passages from the Encyclical and Syllabus of Pius IX., see Appendix A.

Firstly. I do not place all the Propositions in one and the same category; for there are a portion of them which, as far as I can judge, might, by the combined aid of favorable construction and vigorous explanation, be brought within bounds. And I hold that favorable construction of the terms used in controversies is the right general rule. But this can only be so when construction is an open question. When the author of certain propositions claims, as in the case before us, a sole and unlimited power to interpret them in such manner and by such rules as he may from time to time think fit, the only defence for all others concerned is at once to judge for themselves, how much of unreason or of mischief the words, naturally understood, may contain.

Secondly. It may appear, upon a hasty perusal, that neither the infliction of penalty in life, limb, liberty, or goods, on disobedient members of the Christian Church, nor the title to depose sovereigns, and release subjects from their allegiance, with all its revolting consequences, has been here reaffirmed. In terms, there is no mention of them; but in the substance of the propositions, I grieve to say, they are beyond doubt included. For it is notorious that they have been declared and decreed by "Rome," that is to say, by Popes and Papal Councils; and the stringent condemnations of the Syllabus include all those who hold that Popes and Papal Councils

(declared ecumenical) have transgressed the just limits of their power, or usurped the rights of princes. What have been their opinions and decrees about persecution I need hardly say; and indeed the right to employ physical force is even here undisguisedly claimed (No. 7).

Even while I am writing, I am reminded, from an unquestionable source, of the words of Pope Pius IX. himself on the deposing power. I add only a few italics; the words appear as given in a translation, without the original:

"The present Pontiff used these words in replying to the address from the Academia of the Catholic Religion (July 21, 1873):—

"'There are many errors regarding the Infallibility: but the most malicious of all is that which includes, in that dogma, the *right* of deposing sovereigns, and declaring the people no longer bound by the obligation of fidelity. This *right* has now and again, in critical circumstances, been exercised by the Pontiffs: but it has nothing to do with Papal Infallibility. Its origin was not the infallibility, but the authority of the Pope. This authority, in accordance with the public right, which was then vigorous, and with the acquiescence of all Christian nations, who reverenced in the Pope the supreme Judge of the Christian Commonwealth, *extended so far as to pass judgment, even in civil affairs, on the acts of Princes and of Nations.*'"*

Lastly, I must observe that these are not mere opinions of the Pope himself, nor even are they

* "Civilization and the See of Rome." By Lord Robert Montagu. Dublin, 1874. A Lecture delivered under the auspices of the Catholic Union of Ireland. I have a little misgiving about the version: but not of a nature to affect the substance.

opinions which he might paternally recommend to the pious consideration of the faithful. With the promulgation of his opinions is unhappily combined, in the Encyclical Letter, which virtually, though not expressly, includes the whole, a command to all his spiritual children (from which command we the disobedient children are in no way excluded) to hold them:

"Itaque omnes et singulas pravas opiniones et doctrinas singillatim hisce literis commemoratas auctoritate nostrâ Apostolicâ reprobamus, proscribimus, atque damnamus; easque ab omnibus Catholicæ Ecclesiæ filiis, veluti reprobatas, proscriptas, atque damnatas omnino haberi volumus et mandamus." Encycl. Dec. 8, 1864.

And the decrees of 1870 will presently show us, what they establish as the binding force of the *mandate* thus conveyed to the Christian world.

IV. The Third Proposition.

I now pass to the operation of these extraordinary declarations on personal and private duty.

When the cup of endurance, which had so long been filling, began, with the council of the Vatican in 1870, to overflow, the most famous and learned living theologian of the Roman Communion, Dr. von Döllinger, long the foremost champion of his Church,

refused compliance, and submitted, with his temper undisturbed and his freedom unimpaired, to the extreme and most painful penalty of excommunication. With him, many of the most learned and respected theologians of the Roman Communion in Germany underwent the same sentence. The very few, who elsewhere (I do not speak of Switzerland) suffered in like manner, deserve an admiration rising in proportion to their fewness. It seems as though Germany, from which Luther blew the mighty trumpet that even now echoes through the land, still retained her primacy in the domain of conscience, still supplied the *centuria prærogativa* of the great *comitia* of the world.

But let no man wonder or complain. Without imputing to any one the moral murder, for such it is, of stifling conscience and conviction, I for one cannot be surprised that the fermentation, which is working through the mind of the Latin Church, has as yet (elsewhere than in Germany) but in few instances come to the surface. By the mass of mankind, it is morally impossible that questions such as these can be adequately examined; so it ever has been, and so in the main it will continue, until the principles of manufacturing machinery shall have been applied, and with analogous results, to intellectual and moral processes. Followers they are and must be, and in a certain sense ought to be. But what as to the leaders

of society, the men of education and of leisure? I will try to suggest some answer in few words. A change of religious profession is under all circumstances a great and awful thing. Much more is the question, however, between conflicting, or apparently conflicting, duties arduous, when the religion of a man has been changed for him, over his head, and without the very least of his participation. Far be it then from me to make any Roman Catholic, except the great hierarchic Power, and those who have egged it on, responsible for the portentous proceedings which we have witnessed. My conviction is that, even of those who may not shake off the yoke, multitudes will vindicate at any rate their loyalty at the expense of the consistency, which perhaps in difficult matters of religion few among us perfectly maintain. But this belongs to the future; for the present, nothing could in my opinion be more unjust than to hold the members of the Roman Church in general already responsible for the recent innovations. The duty of observers, who think the claims involved in these decrees arrogant and false, and such as not even impotence real or supposed ought to shield from criticism, is frankly to state the case, and, by way of friendly challenge, to entreat their Roman Catholic fellow-countrymen to replace themselves in the position which five-and-forty years ago this nation, by the voice and action of its Parliament, declared its belief that they held.

Upon a strict reëxamination of the language, as apart from the substance of my fourth Proposition, I find it faulty, inasmuch as it seems to imply that a "convert" now joining the Papal Church, not only gives up certain rights and duties of freedom, but surrenders them by a conscious and deliberate act. What I have less accurately said that he renounced, I might have more accurately said that he forfeited. To speak strictly, the claim now made upon him by the authority, which he solemnly and with the highest responsibility acknowledges, requires him to surrender his mental and moral freedom, and to place his loyalty and civil duty at the mercy of another. There may have been, and may be, persons who in their sanguine trust will not shrink from this result, and will console themselves with the notion that their loyalty and civil duty are to be committed to the custody of one much wiser than themselves. But I am sure that there are also "converts" who, when they perceive, will by word and act reject the consequence which relentless logic draws for them. If, however, my proposition be true, there is no escape from the dilemma. Is it then true, or is it not true, that Rome requires a convert, who now joins her, to forfeit his moral and mental freedom, and to place his loyalty and civil duty at the mercy of another?

In order to place this matter in as clear a light

as I can, it will be necessary to go back a little upon our recent history.

A century ago we began to relax that system of penal laws against Roman Catholics, at once pettifogging, base, and cruel, which Mr. Burke has scathed and blasted with his immortal eloquence.

When this process had reached the point, at which the question was whether they should be admitted into Parliament, there arose a great and prolonged national controversy; and some men, who at no time of their lives were narrow-minded, such as Sir Robert Peel, the Minister, resisted the concession. The arguments in its favor were obvious and strong, and they ultimately prevailed. But the strength of the opposing party had lain in the allegation that, from the nature and claims of the Papal power, it was not possible for the consistent Roman Catholic to pay to the crown of this country an entire allegiance, and that the admission of persons, thus self-disabled, to Parliament was inconsistent with the safety of the State and nation; which had not very long before, it may be observed, emerged from a struggle for existence.

An answer to this argument was indispensable; and it was supplied mainly from two sources. The Josephine laws,* then still subsisting in the Austrian

* See the work of Count dal Pozzo on the "Austrian Eccle-

empire, and the arrangements which had been made after the peace of 1815 by Prussia and the German States with Pius VII. and Gonsalvi, proved that the Papal Court could submit to circumstances, and could allow material restraints even upon the exercise of its ecclesiastical prerogatives. Here, then, was a reply in the sense of the phrase *solvitur ambulando.* Much information of this class was collected for the information of Parliament and the country.* But there were also measures taken to learn, from the highest Roman Catholic authorities of this country, what was the exact situation of the members of that communion with respect to some of the better known exorbitancies of Papal assumption. Did the Pope claim any temporal jurisdiction? Did he still pretend to the exercise of a power to depose kings, release subjects from their allegiance, and incite them to revolt? Was faith to be kept with heretics? Did the Church still teach the doctrines of persecution? Now, to no one of these questions could the answer really be of the smallest immediate moment

siastical Law." London: Murray, 1827. The Leopoldine Laws in Tuscany may also be mentioned.

* See "Report from the Select Committee appointed to report the nature and substance of the Laws and Ordinances existing in Foreign States, respecting the regulation of their Roman Catholic subjects in Ecclesiastical matters, and their intercourse with the See of Rome, or any other Foreign Ecclesiastical Jurisdiction." Printed for the House of Commons in 1816 and 1817. Reprinted 1851.

to this powerful and solidly compacted kingdom. They were topics selected by way of sample; and the intention was to elicit declarations showing generally that the fangs of mediæval Popedom had been drawn, and its claws torn away; that the Roman system, however strict in its dogma, was perfectly compatible with civil liberty, and with the institutions of a free State moulded on a different religious basis from its own.

Answers in abundance were obtained, tending to show that the doctrines of deposition and persecution, of keeping no faith with heretics, and of universal dominion, were obsolete beyond revival; that every assurance could be given respecting them, except such as required the shame of a formal retractation; that they were in effect mere bugbears, unworthy to be taken into account by a nation which prided itself on being made up of practical men.

But it was unquestionably felt that something more than the renunciation of these particular opinions was necessary in order to secure the full concession of civil rights to Roman Catholics. As to their individual loyalty, a State disposed to generous or candid interpretation had no reason to be uneasy. It was only with regard to requisitions, which might be made on them from another quarter, that apprehension could exist. It was reasonable that England should desire to know not only

what the Pope* might do for himself, but to what demands, by the constitution of their Church, they were liable; and how far it was possible that such demands could touch their civil duty. The theory which placed every human being, in things spiritual and things temporal, at the feet of the Roman Pontiff, had not been an *idolum specûs*, a mere theory of the chamber. Brain-power never surpassed in the political history of the world had been devoted for centuries to the single purpose of working it into the practice of Christendom; had in the West achieved for an impossible problem a partial success; and had in the East punished the obstinate independence of the Church by that Latin conquest of Constantinople which effectually prepared the way for the downfall of the Eastern Empire, and the establishment of the Turks in Europe. What was really material therefore was, not whether the Papal chair laid claim to this or that particular power, but whether it laid claim to some power that included them all, and whether that claim had received such sanction from the authorities of the Latin Church, that there remained within her borders absolutely

* At that period the eminent and able Bishop Doyle did not scruple to write as follows: "We are taunted with the proceedings of Popes. What, my Lord, have we Catholics to do with the proceedings of popes, or why should we be made accountable for them?"—'Essay on the Catholic Claims.' To Lord Liverpool, 1826, p. 111.

no tenable standing-ground from which war against it could be maintained. Did the Pope then claim infallibility? Or did he, either without infallibility or with it (and if with it, so much the worse), claim an universal obedience from his flock? And were these claims, either or both, affirmed in his Church by authority which even the least Papal of the members of that Church must admit to be binding upon conscience?

The two first of these questions were covered by the third. And well it was that they were so covered. For to them no satisfactory answer could even then be given. The Popes had kept up, with comparatively little intermission, for well-nigh a thousand years their claim to dogmatic infallibility; and had, at periods within the same tract of time, often enough made, and never retracted, that other claim which is theoretically less but practically larger; their claim to an obedience virtually universal from the baptised members of the Church. To the third question it was fortunately more practicable to prescribe a satisfactory reply. It was well known that, in the days of its glory and intellectual power, the great Gallican Church had not only not admitted, but had denied Papal infallibility, and had declared that the local laws and usages of the Church could not be set aside by the will of the Pontiff. Nay, further, it was believed that in the main these had

been, down to the close of the last century, the prevailing opinions of the Cisalpine Churches in communion with Rome. The Council of Constance had in act as well as word shown that the Pope's judgments, and the Pope himself, were triable by the assembled representatives of the Christian world. And the Council of Trent, notwithstanding the predominance in it of Italian and Roman influences, if it had not denied, yet had not affirmed either proposition.

All that remained was, to know what were the sentiments entertained on these vital points by the leaders and guides of Roman Catholic opinion nearest to our own doors. And here testimony was offered, which must not, and cannot, be forgotten. In part, this was the testimony of witnesses before the Committee of the House of Lords in 1825. I need quote two answers only, given by the Prelate, who more than any other represented his Church, and influenced the mind of this country in favor of concession at the time, namely, Bishop Doyle. He was asked,*

"In what, and how far, does the Roman Catholic profess to obey the Pope?"

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* Committees of both Lords and Commons sat; the former in 1825, the latter in 1824–5. The References were identical, and ran as follows: "To inquire into the state of Ireland, more particularly with reference to the circumstances which may have led to disturbances in that part of the United Kingdom." Bishop Doyle was examined March 21, 1825, and April 21, 1825, before the Lords.

He replied:

"The Catholic professes to obey the Pope in matters which regard his religious faith: and in those matters of ecclesiastical discipline which have already been defined by the competent authorities."

And again:

"Does that justify the objection that is made to Catholics, that their allegiance is divided?"

"I do not think it does in any way. We are bound to obey the Pope in those things that I have already mentioned. But our obedience to the law, and the allegiance which we owe the sovereign, are complete, and full, and perfect, and undivided, inasmuch as they extend to all political, legal, and civil rights of the king or his subjects. I think the allegiance due to the king, and the allegiance due to the Pope, are as distinct and as divided in their nature as any two things can possibly be."

Such is the opinion of the dead Prelate. We shall presently hear the opinion of a living one. But the sentiments of the dead man powerfully operated on the open and trustful temper of this people to induce them to grant, at the cost of so much popular feeling and national tradition, the great and just concession of 1829. That concession, without such declarations, it would, to say the least, have been far more difficult to obtain.

Now, bodies are usually held to be bound by the evidence of their own selected and typical witnesses. But in this instance the colleagues of those witnesses thought fit also to speak collectively.

First let us quote from the collective "Declaration," in the year 1826, of the Vicars Apostolic, who,

with Episcopal authority, governed the Roman Catholics of Great Britain:

"The allegiance which Catholics hold to be due, and are bound to pay, to their Sovereign, and to the civil authority of the State, is perfect and undivided. . . .

"They declare that neither the Pope, nor any other prelate or ecclesiastical person of the Roman Catholic Church . . . has any right to interfere, directly or indirectly, in the Civil Government, . . . nor to oppose in any manner the performance of the civil duties which are due to the king."

Not less explicit was the Hierarchy of the Roman Communion in its "Pastoral Address to the Clergy and Laity of the Roman Catholic Church in Ireland," dated January 25, 1826. This address contains a Declaration, from which I extract the following words:

"It is a duty which they owe to themselves, *as well as to their Protestant fellow-subjects*, whose good opinion they value, to endeavor once more to remove the false imputations that have been frequently cast upon the faith and discipline of that Church which is intrusted to their care, *that all may be enabled to know with accuracy their genuine principles.*"

In Article 11:—

"They declare on oath their belief that it is not an article of the Catholic Faith, neither are they thereby required to believe, that the Pope is infallible."

And, after various recitals, they set forth—

"After this full, explicit, and sworn declaration, we are utterly at a loss to conceive on what possible ground we could be justly charged with bearing towards our most gracious Sovereign only a divided allegiance."

Thus, besides much else that I will not stop to quote,

Papal infallibility was most solemnly declared to be a matter on which each man might think as he pleased; the Pope's power to claim obedience was strictly and narrowly limited: it was expressly denied that he had any title, direct or indirect, to interfere in civil government. Of the right of the Pope to define the limits which divide the civil from the spiritual by his own authority, not one word is said by the Prelates of either country.

Since that time, all these propositions have been reversed. The Pope's infallibility, when he speaks *ex cathedrâ* on faith and morals, has been declared, with the assent of the Bishops of the Roman Church, to be an article of faith, binding on the conscience of every Christian; his claim to the obedience of his spiritual subjects has been declared in like manner without any practical limit or reserve; and his supremacy, without any reserve of civil rights, has been similarly affirmed to include everything which relates to the discipline and government of the Church throughout the world. And these doctrines, we now know on the highest authority, it is of necessity for salvation to believe.

Independently, however, of the Vatican Decrees themselves, it is necessary for all who wish to understand what has been the amount of the wonderful change now consummated in the constitution of the Latin Church, and what is the present degradation

of its Episcopal order, to observe also the change, amounting to revolution, of form in the present, as compared with other conciliatory decrees. Indeed, that spirit of centralization, the excesses of which are as fatal to vigorous life in the Church as in the State, seems now nearly to have reached the last and furthest point of possible advancement and exaltation.

When, in fact, we speak of the decrees of the Council of the Vatican, we use a phrase which will not bear strict examination. The Canons of the Council of Trent were, at least, the real Canons of a real Council: and the strain in which they are promulgated is this: *Hæc sacrosancta, ecumenica, et generalis Tridentina Synodus, in Spiritu Sancto legitimè congregata, in eâ præsidentibus eisdem tribus apostolicis Legatis, hortatur*, or *docet*, or *statuit*, or *decernit*, and the like: and its canons, as published in Rome, are "*Canones et decreta Sacrosancti ecumenici Concilii Tridentini*," * and so forth. But what we have now to do with is the *Constitutio Dogmatica Prima de Ecclesiâ Christi, edita in Sessione tertiâ* of the Vatican Council. It is not a constitution made by the Council, but one promulgated in the Council. † And who is it that legislates and

* 'Romæ: in Collegio urbano de Propagandâ Fide.' 1833.

† I am aware that, as some hold, this was the case with the Council of the Lateran in A. D. 1215. But, first, this has not been established: secondly, the very gist of the evil we are dealing

decrees? It is *Pius Episcopus, servus servorum Dei:* and the seductive plural of his *docemus et declaramus* is simply the dignified and ceremonious "We" of Royal declarations. The document is dated *Pontificatûs nostri Anno XXV:* and the humble share of the assembled Episcopate in the transaction is represented by *sacro approbante concilio.* And now for the propositions themselves.

First comes the Pope's infallibility:—

"Docemus, et divinitus revelatum dogma esse definimus, Romanum Pontificem, cum ex Cathedrâ loquitur, id est cum, omnium Christianorum Pastoris et Doctoris munere fungens, pro supremâ suâ Apostolicâ auctoritate doctrinam de fide vel moribus ab universâ Ecclesiâ tenendam definit, per assistentiam divinam, ipsi in Beato Petro promissam, eâ infallibilitate pollere, quâ Divinus Redemptor Ecclesiam suam in definiendâ doctrinâ de fide vel moribus instructam esse voluit: ideoque ejus Romani Pontificis definitiones ex sese non autem ex consensu Ecclesiæ irreformabiles esse." *

Will it, then, be said that the infallibility of the Pope accrues only when he speaks *ex cathedrâ?* No doubt this is a very material consideration for those who have been told that the private conscience is to derive comfort and assurance from the emanations of the Papal Chair: for there is no established or accepted definition of the phrase *ex cathedrâ*, and he has no power to obtain one, and no guide to direct

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with consists in following (and enforcing) precedents from the age of Pope Innocent III.

* 'Constitutio de Ecclesiâ,' c. iv.

him in his choice among some twelve theories on the subject, which, it is said, are bandied to and fro among Roman theologians, except the despised and discarded agency of his private judgment. But while thus sorely tantalised, he is not one whit protected. For there is still one person, and one only, who can unquestionably declare *ex cathedrâ* what is *ex cathedrâ* and what is not, and who can declare it when and as he pleases. That person is the Pope himself. The provision is, that no document he issues shall be valid without a seal; but the seal remains under his own sole lock and key.

Again, it may be sought to plead, that the Pope is, after all, only operating by sanctions which unquestionably belong to the religious domain. He does not propose to invade the country, to seize Woolwich, or burn Portsmouth. He will only, at the worst, excommunicate opponents, as he has excommunicated Dr. von Döllinger and others. Is this a good answer? After all, even in the Middle Ages, it was not by the direct action of fleets and armies of their own that the Popes contended with kings who were refractory; it was mainly by interdicts, and by the refusal, which they entailed when the Bishops were not brave enough to refuse their publication, of religious offices to the people. It was thus that England suffered under John, France under Philip Augustus, Leon under Alphonso the

Noble, and every country in its turn. But the inference may be drawn that they who, while using spiritual weapons for such an end, do not employ temporal means, only fail to employ them because they have them not. A religious society, which delivers volleys of spiritual censures in order to impede the performance of civil duties, does all the mischief that is in its power to do, and brings into question, in the face of the State, its title to civil protection.

Will it be said, finally, that the Infallibility touches only matter of faith and morals? Only matter of morals! Will any of the Roman casuists kindly acquaint us what are the departments and functions of human life which do not and cannot fall within the domain of morals? If they will not tell us, we must look elsewhere. In his work entitled "Literature and Dogma,"* Mr. Matthew Arnold quaintly informs us—as they tell us nowadays how many parts of our poor bodies are solid, and how many aqueous—that about seventy-five per cent. of all we do belongs to the department of "conduct." Conduct and morals, we may suppose, are nearly coextensive. Three-fourths, then, of life are thus handed over. But who will guarantee to us the other fourth? Certainly not St. Paul; who says,

* Pages 15, 44.

"Whether therefore ye eat, or drink, or whatsoever ye do, do *all* to the glory of God." And "Whatsoever ye do, in word or in deed, do *all* in the name of the Lord Jesus."* No! Such a distinction would be the unworthy device of a shallow policy, vainly used to hide the daring of that wild ambition which at Rome, not from the throne but from behind the throne, prompts the movements of the Vatican. I care not to ask if there be dregs or tatters of human life, such as can escape from the description and boundary of morals. I submit that Duty is a power which rises with us in the morning, and goes to rest with us at night. It is co-extensive with the action of our intelligence. It is the shadow which cleaves to us, go where we will, and which only leaves us when we leave the light of life. So, then, it is the supreme direction of us in respect to all Duty, which the Pontiff declares to belong to him, *sacro approbante concilio:* and this declaration he makes, not as an otiose opinion of the schools, but *cunctis fidelibus credendam et tenendam.*

But we shall now see that, even if a loophole had at this point been left unclosed, the void is supplied by another provision of the Decrees. While the reach of the Infallibility is as wide as it may please the Pope, or those who may prompt the Pope, to

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* 1 Cor. x. 31; Col. iii. 7.

make it, there is something wider still, and that is the claim to an absolute and entire Obedience. This Obedience is to be rendered to his orders in the cases I shall proceed to point out, without any qualifying condition, such as the *ex cathedrâ*. The sounding name of Infallibility has so fascinated the public mind, and riveted it on the Fourth Chapter of the Constitution *de Ecclesiâ*, that its near neighbor, the Third Chapter, has, at least in my opinion, received very much less than justice. Let us turn to it:

"Cujuscunque ritûs et dignitatis pastores atque fideles, tam seorsum singuli quam simul omnes, officio hierarchicæ subordinationis veræque obedientiæ obstringuntur, non solum in rebus, quæ ad fidem et mores, sed etiam in iis, quæ ad disciplinam et regimen Ecclesiæ per totum orbem diffusæ pertinent. . . . Hæc est Catholicæ veritatis doctrina, a quâ deviare, salvâ fide atque salute, nemo potest. . . .

"Docemus etiam et declaramus eum esse judicem supremum fidelium, et in omnibus causis ad examen ecclesiasticum spectantibus ad ipsius posse judicium recurri: Sedis vero Apostolicæ, cujus auctoritate major non est, judicium a nemine fore retrac tandum. Neque cuiquam de ejus licere judicare judicio." *

Even, therefore, where the judgments of the Pope do not present the credentials of infallibility, they are unappealable and irreversible: no person may pass judgment upon them; and all men, clerical and lay, dispersedly or in the aggregate, are bound truly to obey them; and from this rule of Catholic truth no man can depart, save at the peril of his salvation.

* "Dogmatic Constitutions," etc., c. iii. Dublin, 1870, pp. 30–32.

Surely, it is allowable to say that this Third Chapter on universal obedience is a formidable rival to the Fourth Chapter on Infallibility. Indeed, to an observer from without, it seems to leave the dignity to the other, but to reserve the stringency and efficiency to itself. The Third Chapter is the Merovingian Monarch; the fourth is the Carolingian Mayor of the Palace. The third has an overawing splendor; the fourth, an iron gripe. Little does it matter to me whether my superior claims infallibility, so long as he is entitled to demand and exact conformity. This, it will be observed, he demands even in cases not covered by his infallibility; cases, therefore, in which he admits it to be possible that he may be wrong, but finds it intolerable to be told so. As he must be obeyed in all his judgments though not *ex cathedrâ*, it seems a pity he could not likewise give the comforting assurance that they are all certain to be right.

But why this ostensible reduplication, this apparent surplusage? Why did the astute contrivers of this tangled scheme conclude that they could not afford to rest content with pledging the Council to Infallibility in terms which are not only wide to a high degree, but elastic beyond all measure?

Though they must have known perfectly well that "faith and morals" carried everything, or everything worth having, in the purely individual sphere, they

also knew just as well that, even where the individual was subjugated, they might and would still have to deal with the State.

In mediæval history, this distinction is not only clear but glaring. Outside the borders of some narrow and proscribed sect, now and then emerging, we never, or scarcely ever, hear of private and personal resistance to the Pope. The manful "Protestantism" of mediæval times had its activity almost entirely in the sphere of public, national, and state rights. Too much attention, in my opinion, cannot be fastened on this point. It is the very root and kernel of the matter. Individual servitude, however abject, will not satisfy the party now dominant in the Latin Church: the State must also be a slave.

Our Saviour had recognised as distinct the two provinces of the civil rule and the Church: had nowhere intimated that the spiritual authority was to claim the disposal of physical force, and to control in its own domain the authority which is alone responsible for external peace, order, and safety among civilised communities of men. It has been alike the peculiarity, the pride, and the misfortune of the Roman Church, among Christian communities, to allow to itself an unbounded use, as far as its power would go, of earthly instruments for spiritual ends. We have seen with what ample assurances* this

* See further, Appendix B.

nation and Parliament were fed in 1826; how well and roundly the full and undivided rights of the civil power, and the separation of the two jurisdictions, were affirmed. All this had at length been undone, as far as Popes could undo it, in the Syllabus and the Encyclical. It remained to complete the undoing, through the subserviency or pliability of the Council.

And the work is now truly complete. Lest it should be said that supremacy in faith and morals, full dominion over personal belief and conduct, did not cover the collective action of men in States, a third province was opened, not indeed to the abstract assertion of Infallibility, but to the far more practical and decisive demand of absolute Obedience. And this is the proper work of the Third Chapter, to which I am endeavoring to do a tardy justice. Let us listen again to its few but pregnant words on the point:

"Non solum in rebus, quæ ad fidem et mores, sed etiam in iis, quæ ad disciplinam et regimen Ecclesiæ per totum orbem diffusæ pertinent."

Absolute obedience, it is boldly declared, is due to the Pope, at the peril of salvation, not alone in faith, in morals, but in all things which concern the discipline and government of the Church. Thus are swept into the Papal net whole multitudes of facts, whole systems of government, prevailing, though in

different degrees, in every country of the world. Even in the United States, where the severance between Church and State is supposed to be complete, a long catalogue might be drawn of subjects belonging to the domain and competency of the State, but also undeniably affecting the government of the Church; such as, by way of example, marriage, burial, education, prison discipline, blasphemy, poor-relief, incorporation, mortmain, religious endowments, vows of celibacy and obedience. In Europe the circle is far wider, the points of contact and of interlacing almost innumerable. But on all matters, respecting which any Pope may think proper to declare that they concern either faith, or morals, or the government or discipline of the Church, he claims, with the approval of a Council undoubtedly Ecumenical in the Roman sense, the absolute obedience, at the peril of salvation, of every member of his communion.

It seems not as yet to have been thought wise to pledge the Council in terms to the Syllabus and the Encyclical. That achievement is probably reserved for some one of its sittings yet to come. In the meantime it is well to remember, that this claim in respect of all things affecting the discipline and government of the Church, as well as faith and conduct, is lodged in open day by and in the reign of a Pontiff, who has condemned free speech, free writ-

ing, a free press, toleration of nonconformity, liberty of conscience, the study of civil and philosophical matters in independence of the ecclesiastical authority, marriage unless sacramentally contracted, and the definition by the State of the civil rights (*jura*) of the Church; who has demanded for the Church, therefore, the title to define its own civil rights, together with a divine right to civil immunities, and a right to use physical force; and who has also proudly asserted that the Popes of the Middle Ages with their councils did not invade the rights of princes: as for example, Gregory VII., of the Emperor Henry IV.; Innocent III., of Raymond of Toulouse; Paul III., in deposing Henry VIII.; or Pius V., in performing the like paternal office for Elizabeth.

I submit, then, that my fourth proposition is true: and that England is entitled to ask, and to know, in what way the obedience required by the Pope and the Council of the Vatican is to be reconciled with the integrity of civil allegiance?

It has been shown that the Head of their Church, so supported as undoubtedly to speak with its highest authority, claims from Roman Catholics a plenary obedience to whatever he may desire in relation not to faith but to morals, and not only to these, but to all that concerns the government and discipline of the Church: that, of this, much lies within the domain of the State: that, to obviate all misappre-

hension, the Pope demands for himself the right to determine the province of his own rights, and has so defined it in formal documents, as to warrant any and every invasion of the civil sphere; and that this new version of the principles of the Papal Church inexorably binds its members to the admission of these exorbitant claims, without any refuge or reservation on behalf of their duty to the Crown.

Under circumstances such as these, it seems not too much to ask of them to confirm the opinion which we, as fellow-countrymen, entertain of them, by sweeping away, in such manner and terms as they may think best, the presumptive imputations which their ecclesiastical rulers at Rome, acting autocratically, appear to have brought upon their capacity to pay a solid and undivided allegiance; and to fulfil the engagement which their bishops, as political sponsors, promised and declared for them in 1825.

It would be impertinent, as well as needless, to suggest what should be said. All that is requisite is to indicate in substance that which (if the foregoing argument be sound) is not wanted, and that which is. What is not wanted is vague and general assertion, of whatever kind, and however sincere. What is wanted, and that in the most specific form and the clearest terms, I take to be one of two things; that is to say, either—

I. A demonstration that neither in the name of

faith, nor in the name of morals, nor in the name of the government or discipline of the Church, is the Pope of Rome able, by virtue of the powers asserted for him by the Vatican decree, to make any claim upon those who adhere to his communion, of such a nature as can impair the integrity of their civil allegiance; or else,

II. That, if and when such claim is made, it will, even although resting on the definitions of the Vatican, be repelled and rejected; just as Bishop Doyle, when he was asked what the Roman Catholic clergy would do if the Pope intermeddled with their religion, replied frankly, "The consequence would be, that we should oppose him by every means in our power, even by the exercise of our spiritual authority." *

In the absence of explicit assurances to this effect, we should appear to be led, nay, driven, by just reasoning upon that documentary evidence, to the conclusions:—

1. That the Pope, authorized by his Council, claims for himself the domain (*a*) of faith, (*b*) of morals, (*c*) of all that concerns the government and discipline of the Church.

2. That he in like manner claims the power of determining the limits of those domains.

3. That he does not sever them, by any acknowl-

* 'Report,' March 18, 1826, p. 191.

edged or intelligible line, from the domains of civil duty and allegiance.

4. That he therefore claims, and claims from the month of July, 1870, onward with plenary authority, from every convert and member of his Church, that he shall "place his loyalty and civil duty at the mercy of another:" that other being himself.

V. Being True, are the Propositions Material?

But next, if these propositions be true, are they also material? The claims cannot, as I much fear, be denied to have been made. It cannot be denied that the Bishops, who govern in things spiritual more than five millions (or nearly one-sixth) of the inhabitants of the United Kingdom, have in some cases promoted, in all cases accepted, these claims. It has been a favorite purpose of my life not to conjure up, but to conjure down, public alarms. I am not now going to pretend that either foreign foe or domestic treason can, at the bidding of the Court of Rome, disturb these peaceful shores. But though such fears may be visionary, it is more visionary still to suppose for one moment that the claims of Gregory VII., of Innocent III., and of Boniface VIII., have been disinterred, in the nineteenth century, like hideous mummies picked out of Egyptian sarcophagi, in the interests of archæology, or without

a definite and practical aim. As rational beings, we must rest assured that only with a very clearly conceived and foregone purpose have these astonishing reassertions been paraded before the world. What is that purpose?

I can well believe that it is in part theological. There have always been, and there still are, no small proportion of our race, and those by no means in all respects the worst, who are sorely open to the temptation, especially in times of religious disturbance, to discharge their spiritual responsibilities by *power of attorney*. As advertising Houses find custom in proportion, not so much to the solidity of their resources as to the magniloquence of their premises and assurances, so theological boldness in the extension of such claims is sure to pay, by widening certain circles of devoted adherents, however it may repel the mass of mankind. There were two special encouragements to this enterprise at the present day: one of them the perhaps unconscious but manifest leaning of some, outside the Roman precinct, to undue exaltation of Church power; the other the reaction, which is and must be brought about in favor of superstition, by the levity of the destructive speculations so widely current, and the notable hardihood of the anti-Christian writing of the day.

But it is impossible to account sufficiently in this

manner for the particular course which has been actually pursued by the Roman Court. All morbid spiritual appetites would have been amply satisfied by claims to infallibility in creed, to the prerogative of miracle, to dominion over the unseen world. In truth there was occasion, in this view, for nothing, except a liberal supply of Salmonean thunder:—

"Dum flammas Jovis, et sonitus imitatur Olympi."*

All this could have been managed by a few Tetzels, judiciously distributed over Europe. Therefore the question still remains, Why did that Court, with policy for ever in its eye, lodge such formidable demands for power of the vulgar kind in that sphere which is visible, and where hard knocks can undoubtedly be given as well as received?

It must be for some political object, of a very tangible kind, that the risks of so daring a raid upon the civil sphere have been deliberately run.

A daring raid it is. For it is most evident that the very assertion of principles which establish an exemption from allegiance, or which impair its completeness, goes, in many other countries of Europe, far more directly than with us, to the creation of political strife, and to dangers of the most material and tangible kind. The struggle, now proceeding in Germany, at once occurs to the mind as a palmary

* Æn. vi. 586.

instance. I am not competent to give any opinion upon the particulars of that struggle. The institutions of Germany, and the relative estimate of State power and individual freedom, are materially different from ours. But I must say as much as this. Firstly, it is not Prussia alone that is touched; elsewhere, too, the bone lies ready, though the contention may be delayed. In other States, in Austria particularly, there are recent laws in force, raising much the same issues as the Falck laws have raised. But the Roman Court possesses in perfection one art, the art of waiting; and it is her wise maxim to fight but one enemy at a time. Secondly, if I have truly represented the claims promulgated from the Vatican, it is difficult to deny that those claims, and the power which has made them, are primarily responsible for the pains and perils, whatever they may be, of the present conflict between German and Roman enactments. And that which was once truly said of France, may now also be said with not less truth of Germany: when Germany is disquieted, Europe cannot be at rest.

I should feel less anxiety on this subject had the Supreme Pontiff frankly recognised his altered position since the events of 1870; and, in language as clear, if not as emphatic, as that in which he has proscribed modern civilization, given to Europe the assurance that he would be no party to the reëstablish-

ment by blood and violence of the Temporal Power of the Church. It is easy to conceive that his personal benevolence, no less than his feelings as an Italian, must have inclined him individually towards a course so humane; and I should add, if I might do it without presumption, so prudent. With what appears to an English eye a lavish prodigality, successive Italian Governments have made over the ecclesiastical powers and privileges of the Monarchy, not to the Church of the country for the revival of the ancient, popular, and self-governing elements of its constitution, but to the Papal Chair, for the establishment of ecclesiastical despotism, and the suppression of the last vestiges of independence. This course, so difficult for a foreigner to appreciate, or even to justify, has been met, not by reciprocal conciliation, but by a constant fire of denunciations and complaints. When the tone of these denunciations and complaints is compared with the language of the authorised and favored Papal organs in the press, and of the Ultramontane party (now the sole legitimate party of the Latin Church) throughout Europe, it leads many to the painful and revolting conclusion that there is a fixed purpose among the secret inspirers of Roman policy to pursue, by the road of force, upon the arrival of any favorable opportunity, the favorite project of reërecting the terrestrial throne of the Popedom, even if it can only be re-

erected on the ashes of the city, and amidst the whitening bones of the people. *

It is difficult to conceive or contemplate the effects of such an endeavor. But the existence at this day of the policy, even in bare idea, is itself a portentous evil. I do not hesitate to say that it is an incentive to general disturbance, a premium upon European wars. It is in my opinion not sanguine only, but almost ridiculous to imagine that such a project could eventually succeed; but it is difficult to over-estimate the effect which it might produce in generating and exasperating strife. It might even, to some extent, disturb and paralyse the action of such Governments as might interpose for no separate purpose of their own, but only with a view to the maintenance or restoration of the general peace. If the baleful Power which is expressed by the phrase *Curia Romana*, and not at all adequately rendered in its historic force by the usual English equivalent "Court of Rome," really entertains the scheme, it doubtless counts on the support in every country of an organised and devoted party; which, when it can command the scales of political power, will promote interference, and, when it is in a minority, will work for securing neutrality. As the peace of Europe may be in jeopardy, and as the duties even of England,

* Appendix C.

as one (so to speak) of its constabulary authorities, might come to be in question, it would be most interesting to know the mental attitude of our Roman Catholic fellow-countrymen in England and Ireland with reference to the subject; and it seems to be one on which we are entitled to solicit information.

For there cannot be the smallest doubt that the temporal power of the Popedom comes within the true meaning of the words used at the Vatican to describe the subjects on which the Pope is authorized to claim, under awful sanctions, the obedience of the "faithful." It is even possible that we have here the key to the enlargement of the province of Obedience beyond the limits of Infallibility, and to the introduction of the remarkable phrase *ad disciplinam et regimen Ecclesiæ*. No impartial person can deny that the question of the temporal power very evidently concerns the discipline and government of the Church—concerns it, and most mischievously as I should venture to think; but in the opinion, up to a late date, of many Roman Catholics, not only most beneficially, but even essentially. Let it be remembered, that such a man as the late Count Montalembert, who in his general politics was of the Liberal party, did not scruple to hold that the millions of Roman Catholics throughout the world were co-partners with the inhabitants of the States of the

Church in regard to their civil government; and, as constituting the vast majority, were of course entitled to override them. It was also rather commonly held, a quarter of a century ago, that the question of the States of the Church was one with which none but Roman Catholic powers could have any thing to do. This doctrine, I must own, was to me at all times unintelligible. It is now, to say the least, hopelessly and irrecoverably obsolete.

Archbishop Manning, who is the head of the Papal Church in England, and whose ecclesiastical tone is supposed to be in the closest accordance with that of his headquarters, has not thought it too much to say that the civil order of all Christendom is the offspring of the Temporal Power, and has the Temporal Power for its keystone; that on the destruction of the Temporal Power "the laws of nations would at once fall in ruins;" that (our old friend) the deposing Power "taught subjects obedience and princes clemency."* Nay, this high authority has proceeded further; and has elevated the Temporal Power to the rank of necessary doctrine:

"The Catholic Church cannot be silent, it cannot hold its peace; it cannot cease to preach the doctrines of Revelation, not only of the Trinity and of the Incarnation, but likewise of the Seven Sacraments, and of the Infallibility of the Church of

* 'Three Lectures on the Temporal Sovereignty of the Popes,' 1860, pp. 34, 46, 47, 58–9, 63.

God, and of the necessity of Unity, and of the Sovereignty, both spiritual and temporal, of the Holy See." *

I never, for my own part, heard that the work containing this remarkable passage was placed in the 'Index Prohibitorum Librorum.' On the contrary, its distinguished author was elevated, on the first opportunity, to the headship of the Roman Episcopacy in England, and to the guidance of the million or thereabouts of souls in its communion. And the more recent utterances of the oracle have not descended from the high level of those already cited. They have, indeed, the recommendation of a comment, not without fair claims to authority, on the recent declarations of the Pope and the Council; and of one which goes to prove how far I am from having exaggerated or strained in the foregoing pages the meaning of those declarations. Especially does this hold good on the one point, the most vital of the whole—the title to define the border line of the two provinces, which the Archbishop not unfairly takes to be the true criterion of supremacy, as between rival powers like the Church and the State.

"If, then, the civil power be not competent to decide the limits of the spiritual power, and if the spiritual power can define, with a divine certainty, its own limits, it is evidently supreme. Or, in other words, the spiritual power knows, with divine certainty, the limits of its own jurisdiction: and it knows

* 'The present Crisis of the Holy See.' By H. E. Manning, D.D. London, 1861, p. 73.

therefore the limits and the competence of the civil power. It is thereby, in matters of religion and conscience, supreme. I do not see how this can be denied without denying Christianity. And if this be so, this is the doctrine of the Bull *Unam Sanctam*,* and of the Syllabus, and of the Vatican Council. It is, in fact, Ultramontanism, for this term means neither less nor more. The Church, therefore, is separate and supreme.

"Let us then ascertain somewhat further what is the meaning of supreme. Any power which is independent, *and can alone fix the limits of its own jurisdiction, and can thereby fix the limits of all other jurisdictions, is*, ipso facto, *supreme*.† But the Church of Jesus Christ, within the sphere of revelation, of faith and morals, is all this, or is nothing, or worse than nothing, an imposture and an usurpation—that is, it is Christ or Antichrist." ‡

But the whole pamphlet should be read by those who desire to know the true sense of the Papal declarations and Vatican decrees, as they are understood by the most favored ecclesiastics; understood, I am bound to own, so far as I can see, in their natural, legitimate, and inevitable sense. Such readers will be assisted by the treatise in seeing clearly, and in admitting frankly that, whatever demands may hereafter, and in whatever circumstances, be made upon us, we shall be unable to advance with any fairness the plea that it has been done without due notice.

There are millions upon millions of the Protestants

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* On the Bull *Unam Sanctam*, "of a most odious kind;" see Bishop Doyle's Essay, already cited. He thus describes it.

† The italics are not in the original.

‡ 'Cæsarism and Ultramontanism.' By Archbishop Manning, 1874, pp. 35–6.

of this country who would agree with Archbishop Manning, if he were simply telling us that Divine truth is not to be sought from the lips of the State, nor to be sacrificed at its command. But those millions would tell him, in return, that the State, as the power which is alone responsible for the external order of the world, can alone conclusively and finally be competent to determine what is to take place in the sphere of that external order.

I have shown, then, that the Propositions, especially that which has been felt to be the chief one among them, being true, are also material; material to be generally known, and clearly understood, and well considered on civil grounds; inasmuch as they invade, at a multitude of points, the civil sphere, and seem even to have no very remote or shadowy connection with the future peace and security of Christendom.

VI. Were the Propositions proper to be set forth by the present Writer?

There remains yet before us only the shortest and least significant portion of the inquiry, namely, whether these things, being true, and being material to be said, were also proper to be said by me. I must ask pardon, if a tone of egotism be detected in this necessarily subordinate portion of my remarks.

For thirty years, and in a great variety of circumstances, in office and as an independent Member of Parliament, in majorities and in small minorities, and during the larger portion of the time * as the representative of a great constituency, mainly clerical, I have, with others, labored to maintain and extend the civil rights of my Roman Catholic fellow-countrymen. The Liberal party of this country, with which I have been commonly associated, has suffered, and sometimes suffered heavily, in public favor and in influence, from the belief that it was too ardent in the pursuit of that policy; while at the same time it has always been in the worst odor with the Court of Rome, in consequence of its (I hope) unalterable attachment to Italian liberty and independence. I have sometimes been the spokesman of that party in recommendations which have tended to foster in fact the imputation I have mentioned, though not to warrant it as matter of reason. But it has existed in fact. So that while (as I think) general justice to society required that these things which I have now set forth should be written, special justice, as toward the party to which I am loyally attached, and which I may have had a share in thus placing at a disadvantage before our countrymen, made it, to say the least, becoming that I should not shrink from writing them.

In discharging that office, I have sought to per-

* From 1847 to 1865 I sat for the University of Oxford.

form the part not of a theological partisan, but simply of a good citizen; of one hopeful that many of his Roman Catholic friends and fellow-countrymen, who are, to say the least of it, as good citizens as himself, may perceive that the case is not a frivolous case, but one that merits their attention.

I will next proceed to give the reason why, up to a recent date, I have thought it right in the main to leave to any others, who might feel it, the duty of dealing in detail with this question.

The great change, which seems to me to have been brought about in the position of Roman Catholic Christians as citizens, reached its consummation, and came into full operation in July, 1870, by the proceedings or so-called decrees of the Vatican Council.

Up to that time, opinion in the Roman Church on all matters involving civil liberty, though partially and sometimes widely intimidated, was free wherever it was resolute. During the Middle Ages, heresy was often extinguished in blood, but in every Cisalpine country a principle of liberty, to a great extent, held its own, and national life refused to be put down. Nay, more, these precious and inestimable gifts had not infrequently for their champions a local prelacy and clergy. The Constitutions of Clarendon, cursed from the Papal throne, were the work of the English Bishops. Stephen Langton, appointed directly, through an extraordinary stretch of power,

by Innocent III., to the See of Canterbury, headed the Barons of England in extorting from the Papal minion John, the worst and basest of all our Sovereigns, that Magna Charta which the Pope at once visited with his anathemas. In the reign of Henry VIII., it was Tunstal, Bishop of Durham, who first wrote against the Papal domination. Tunstal was followed by Gardiner; and even the recognition of the Royal Headship was voted by the clergy, not under Cranmer, but under his unsuspected predecessor Warham. Strong and domineering as was the high Papal party in those centuries, the resistance was manful. Thrice in history, it seemed as if what we may call the Constitutional party in the Church was about to triumph: first, at the epoch of the Council of Constance; secondly, when the French Episcopate was in conflict with Pope Innocent XI.; thirdly, when Clement XIV. levelled with the dust the deadliest foes that mental and moral liberty have ever known. But from July, 1870, this state of things has passed away, and the death-warrant of that Constitutional party has been signed, and sealed, and promulgated in form.

Before that time arrived, although I had used expressions sufficiently indicative as to the tendency of things in the great Latin Communion, yet I had for very many years felt it to be the first and paramount duty of the British Legislature, whatever

Rome might say or do, to give to Ireland all that justice could demand, in regard to matters of conscience and of civil equality, and thus to set herself right in the opinion of the civilized world. So far from seeing, what some believed they saw, a spirit of unworthy compliance in such a course, it appeared to me the only one which suited either the dignity or the duty of my country. While this debt remained unpaid, both before and after 1870, I did not think it my province to open formally a line of argument on a question of prospective rather than immediate moment, which might have prejudiced the matter of duty lying nearest our hand, and morally injured Great Britain not less than Ireland, Churchmen and Nonconformists not less than adherents of the Papal Communion, by slackening the disposition to pay the debt of justice. When Parliament had passed the Church Act of 1869 and the Land Act of 1870, there remained only, under the great head of Imperial equity, one serious question to be dealt with —that of the higher education. I consider that the Liberal majority in the House of Commons, and the Government to which I had the honor and satisfaction to belong, formally tendered payment in full of this portion of the debt by the Irish University Bill of February, 1873. Some indeed think that it was overpaid; a question into which this is manifestly not the place to enter. But the Roman Catholic pre-

lacy of Ireland thought fit to procure the rejection of that measure, by the direct influence which they exercised over a certain number of Irish Members of Parliament, and by the temptation which they thus offered—the bid, in effect, which (to use a homely phrase) they made, to attract the support of the Tory Opposition. Their efforts were crowned with a complete success. From that time forward I have felt that the situation was changed, and that important matters would have to be cleared by suitable explanations. The debt to Ireland had been paid: a debt to the country at large had still to be disposed of, and this has come to be the duty of the hour. So long, indeed, as I continued to be Prime Minister, I should not have considered a broad political discussion on a general question suitable to proceed from me; while neither I nor (I am certain) my colleagues would have been disposed to run the risk of stirring popular passions by a vulgar and unexplained appeal. But every difficulty, arising from the necessary limitations of an official position, has now been removed.

VII. On the Home Policy of the Future.

I could not, however, conclude these observations without anticipating and answering an inquiry they suggest. "Are they, then," it will be asked, "a

recantation and a regret; and what are they meant to recommend as the policy of the future?" My reply shall be succinct and plain. Of what the Liberal party has accomplished, by word or deed, in establishing the full civil equality of Roman Catholics, I regret nothing, and I recant nothing.

It is certainly a political misfortune that, during the last thirty years, a Church so tainted in its views of civil obedience, and so unduly capable of changing its front and language after Emancipation from what it had been before, like an actor who has to perform several characters in one piece, should have acquired an extension of its hold upon the highest classes of this country. The conquests have been chiefly, as might have been expected, among women; but the number of male converts, or captives (as I might prefer to call them), has not been inconsiderable. There is no doubt, that every one of these secessions is in the nature of a considerable moral and social severance. The breadth of this gap varies, according to varieties of individual character. But it is too commonly a wide one. Too commonly, the spirit of the neophyte is expressed by the words which have become notorious: "a Catholic first, an Englishman afterward." Words which properly convey no more than a truism; for every Christian must seek to place his religion even before his country in his inner heart. But very far from a truism in the sense in which we

have been led to construe them. We take them to mean that the "convert" intends, in case of any conflict between the Queen and the Pope, to follow the Pope, and let the Queen shift for herself; which, happily, she can well do.

Usually, in this country, a movement in the highest class would raise a presumption of a similar movement in the mass. It is not so here. Rumors have gone about that the proportion of members of the Papal Church to the population has increased, especially in England. But these rumors would seem to be confuted by authentic figures. The Roman Catholic Marriages, which supply a competent test, and which were 4·89 per cent. of the whole in 1854, and 4·62 per cent. in 1859, were 4·09 per cent. in 1869, and 4·02 per cent. in 1871.

There is something at the least abnormal in such a partial growth, taking effect as it does among the wealthy and noble, while the people cannot be charmed, by any incantation, into the Roman camp. The original Gospel was supposed to be meant especially for the poor; but the gospel of the nineteenth century from Rome courts another and less modest destination. If the Pope does not control more souls among us, he certainly controls more acres.

The severance, however, of a certain number of lords of the soil from those who till it, can be borne. And so I trust will in like manner be endured the

new and very real "aggression" of the principles promulgated by Papal authority, whether they are or are not loyally disclaimed. In this matter, each man is his own judge and his own guide: I can speak for myself. I am no longer able to say, as I would have said before 1870, "There is nothing in the necessary belief of the Roman Catholic which can appear to impeach his full civil title; for, whatsoever be the follies of ecclesiastical power in his Church, his Church itself has not required of him, with binding authority, to assent to any principles inconsistent with his civil duty." That ground is now, for the present at least, cut from under my feet. What then is to be our course of policy hereafter? First let me say that, as regards the great Imperial settlement, achieved by slow degrees, which has admitted men of all creeds subsisting among us to Parliament, that I conceive to be so determined beyond all doubt or question, as to have become one of the deep foundation-stones of the existing Constitution. But inasmuch as, short of this great charter of public liberty, and independently of all that has been done, there are pending matters of comparatively minor moment which have been, or may be, subjects of discussion, not without interest attaching to them, I can suppose a question to arise in the minds of some. My own views and intentions in the future are of the smallest significance. But, if the argu-

ments I have here offered make it my duty to declare them, I say at once the future will be exactly as the past: in the little that depends on me, I shall be guided hereafter, as heretofore, by the rule of maintaining equal civil rights irrespectively of religious differences; and shall resist all attempts to exclude the members of the Roman Church from the benefit of that rule. Indeed I may say that I have already given conclusive indications of this view, by supporting in Parliament, as a Minister, since 1870, the repeal of the Ecclesiastical Titles Act, for what I think ample reasons. Not only because the time has not yet come when we can assume the consequences of the revolutionary measures of 1870 to have been thoroughly weighed and digested by all capable men in the Roman Communion. Not only because so great a numerical proportion are, as I have before observed, necessarily incapable of mastering, and forming their personal judgment upon, the case. Quite irrespectively even of these considerations, I hold that our onward even course should not be changed by follies, the consequences of which, if the worst come to the worst, this country will have alike the power and, in case of need, the will to control. The State will, I trust, be ever careful to leave the domain of religious conscience free, and yet to keep it to its own domain; and to allow neither private caprice nor, above all, foreign arrogance to dictate to it in the

discharge of its proper office. "England expects every man to do his duty;" and none can be so well prepared under all circumstances to exact its performance as that Liberal party which has done the work of justice alike for Nonconformists and for Papal dissidents, and whose members have so often, for the sake of that work, hazarded their credit with the markedly Protestant constituencies of the country. Strong the State of the United Kingdom has always been in material strength; and its moral panoply is now, we may hope, pretty complete.

It is not then for the dignity of the Crown and people of the United Kingdom to be diverted from a path which they have deliberately chosen, and which it does not rest with all the myrmidons of the Apostolic Chamber either openly to obstruct, or secretly to undermine. It is rightfully to be expected, it is greatly to be desired, that the Roman Catholics of this country should do in the Nineteenth century what their forefathers of England, except a handful of emissaries, did in the Sixteenth, when they were marshalled in resistance to the Armada, and in the Seventeenth when, in despite of the Papal Chair, they sat in the House of Lords under the Oath of Allegiance. That which we are entitled to desire, we are entitled also to expect: indeed, to say we did not expect it, would, in my judgment, be the true way of conveying an "insult" to those con-

cerned. In this expectation we may be partially disappointed. Should those to whom I appeal, thus unhappily come to bear witness in their own persons to the decay of sound, manly, true life in their Church, it will be their loss more than ours. The inhabitants of these islands, as a whole, are stable, though sometimes credulous and excitable; resolute, though sometimes boastful: and a strong-headed and sound-hearted race will not be hindered, either by latent or by avowed dissents, due to the foreign influence of a caste, from the accomplishment of its mission in the world.

APPENDICES.

APPENDIX A.

The numbers here given correspond with those of the Eighteen Propositions given in the text, where it would have been less convenient to cite the originals.

1, 2, 3. "Ex quâ omnino falsâ socialis regiminis ideâ haud timent erroneam illam fovere opinionem, Catholicæ Ecclesiæ, animarumque saluti maxime exitialem, a rec. mem. Gregorio XIV. prædecessore Nostro *deliramentum* appellatam (eâdem Encycl. mirari), nimirum, libertatem conscientiæ et cultuum esse proprium cujuscunque hominis jus, quod lege proclamari, et asseri debet in omni recte constitutâ societate, et jus civibus inesse ad omnimodam libertatem nullâ vel ecclesiasticâ, vel civili auctoritate coarctandam, quo suos conceptus quoscumque sive voce sive typis, sive aliâ ratione palam publiceque manifestare ac declarare valeant."—*Encyclical Letter.*

4. "Atque silentio præterire non possumus eorum audaciam, qui sanam non sustinentes doctrinam 'illis Apostolicæ Sedis judiciis, et decretis, quorum objectum ad bonum generale Ecclesiæ, ejusdemque jura, ac disciplinam spectare declaratur, dummodo fidei morumque dogmata non attingat, posse assensum et obedientiam detrectari absque peccato, et absque ullâ Catholicæ professionis jacturâ.'"—*Ibid.*

5. "Ecclesia non est vera perfectaque societas plane libera, nec pollet suis propriis et constantibus juribus sibi a divino suo Fundatore collatis, sed civilis potestatis est definire quæ sint Ecclesiæ jura, ac limites, intra quos eadem jura exercere queat."—*Syllabus* v.

6. "Romani Pontifices et Concilia œcumenica a limitibus suæ potestatis recesserunt, jura Principum usurpârunt, atque etiam in rebus fidei et morum definiendis errârunt."—*Ibid.* xxiii.

7. "Ecclesia vis inferendæ potestatem non habet, neque potestatem ullam temporalem directam vel indirectam."—*Ibid.* xxiv.

8. "Præter potestatem episcopatui inhærentem, alia est attributa temporalis potestas a civili imperio vel expressè vel tacitè concessa, revocanda propterea, cum libuerit, a civili imperio."—*Ibid.* xxv.

9. "Ecclesiæ et personarum ecclesiasticarum immunitas a jure civili ortum habuit."—*Ibid.* xxx.

10. "In conflictu legum utriusque potestatis, jus civile prævalet."—*Ibid.* xlii.

11. "Catholicis viris probari potest ea juventutis instituendæ ratio, quæ sit a Catholicâ fide et ab Ecclesiæ potestate sejuncta, quæque rerum dumtaxat, naturalium scientiam ac terrenæ socialis vitæ fines tantummodo vel saltem primarium spectet."—*Ibid.* xlviii.

12. "Philosophicarum rerum morumque scientia, itemque civiles leges possunt et debent a divinâ et ecclesiasticâ auctoritate declinare."—*Ibid.* lvii.

13. "Matrimonii sacramentum non est nisi contractui accessorium ab eoque separabile, ipsumque sacramentum in unâ tantum nuptiali benedictione situm est."—*Ibid.* lxvi.

"Vi contractûs mere civilis potest inter Christianos constare veri nominis matrimonium; falsumque est, aut contractum matrimonii inter Christianos semper esse sacramentum, aut nullum esse contractum, si sacramentum excludatur."—*Ibid.* lxxiii.

14. "De temporalis regni cum spirituali compatibilitate disputant inter se Christianæ et Catholicæ Ecclesiæ filii."—*Syllabus* lxxv.

15. "Abrogatio civilis imperii, quo Apostolica Sedes potitur, ad Ecclesiæ libertatem felicitatemque vel maxime conduceret."—*Ibid.* lxxvi.

16. "Ætate hac nostra non amplius expedit religionem Catholicam haberi tanquam unicam status religionem, cæteris quibuscumque cultibus exclusis."—*Ibid.* lxxvii.

17. "Hinc laudabiliter in quibusdam Catholici nominis regionibus lege cautum est, ut hominibus illuc immigrantibus liceat publicum proprii cujusque cultus exercitium habere."—*Ibid.* lxxviii.

18. "Romanus Pontifex potest ac debet cum progressu, cum liberalismo et cum recenti civilitate sese reconciliare et componere."—*Ibid.* lxxx.

APPENDIX B.

I have contented myself with a minimum of citation from the documents of the period before Emancipation. Their full effect can only be gathered by such as are acquainted with, or will take the trouble to refer largely to, the originals. It is worth while, however, to cite the following passage from Bishop Doyle, as it may convey, through the indignation it expresses, an idea of the amplitude of the assurances which had been (as I believe, most honestly and sincerely) given:

"There is no justice, my Lord, in thus condemning us. Such conduct on the part of our opponents creates in our bosoms a sense of wrong being done to us; it exhausts our patience, it provokes our indignation, and prevents us from reiterating our efforts to obtain a more impartial hearing. We are tempted, in such cases as these, to attribute unfair

motives to those who differ from us, as we cannot conceive how men gifted with intelligence can fail to discover truths so plainly demonstrated as,

"That our faith or our allegiance is not regulated by any such doctrines as those imputed to us;

"That our duties to the Government of our country are not influenced nor affected by any Bulls or practices of Popes;

"That these duties are to be learned by us, as by every other class of His Majesty's subjects, from the Gospel, from the reason given to us by God, from that love of country which Nature has implanted in our hearts, and from those constitutional maxims, which are as well understood, and as highly appreciated, by Catholics of the present day, as by their ancestors, who founded them with Alfred, or secured them at Runnymede."—*Doyle's 'Essay on the Catholic Claims,'* London, 1826, p. 38.

The same general tone, as in 1826, was maintained in the answers of the witnesses from Maynooth College before the Commission of 1855. See, for example, pp. 132, 161–4, 272–3, 275, 361, 370–5, 381–2, 394–6, 405. The Commission reported (p. 64), "We see no reason to believe that there has been any disloyalty in the teaching of the college, or any disposition to impair the obligations of an unreserved allegiance to your Majesty."

APPENDIX C.

Compare the recent and ominous forecasting of the future European policy of the British Crown, in an Article from a Romish Periodical for the current month, which has direct relation to these matters, and which has every appearance of proceeding from authority:

"Surely in any European complication, such as may any

day arise, nay, such as must ere long arise, from the natural gravitation of the forces, which are for the moment kept in check and truce by the necessity of preparation for their inevitable collision, it may very well be that the future prosperity of England may be staked in the struggle, and that the side which she may take may be determined, not either by justice or interest, but *by a passionate resolve to keep up the Italian kingdom at any hazard*."—The '*Month*' for November, 1874: 'Mr. Gladstone's Durham Letter,' p. 265.

This is a remarkable disclosure. With *whom* could England be brought into conflict by any disposition she might feel to keep up the Italian kingdom? Considered as States, both Austria and France are in complete harmony with Italy. But it is plain that Italy has some enemy; and the writers of the 'Month' appear to know who it is.

APPENDIX D.

Notice has been taken, both in this country and abroad, of the apparent inertness of public men, and of at least one British Administration, with respect to the subject of these pages. See Friedberg, 'Gränzen zwischen Staat und Kirche,' Abtheilung iii. pp. 755–6; and the Preface to the Fifth Volume of Mr. Greenwood's elaborate, able, and judicial work, entitled 'Cathedra Petri,' p. iv.:

"If there be any chance of such a revival, it would become our political leaders to look more closely into the peculiarities of a system, which denies the right of the subject to freedom of thought and action upon matters most material to his civil and religious welfare. There is no mode of ascertaining the spirit and tendency of great institutions but in a careful study of their history. The writer is profoundly

impressed with the conviction that our political instructors have wholly neglected this important duty: or, which is perhaps worse, left it in the hands of a class of persons whose zeal has outrun their discretion, and who have sought rather to engage the prejudices than the judgment of their hearers in the cause they have, no doubt sincerely, at heart."

THE REPLIES

OF

ARCHBISHOP MANNING AND LORD ACTON.

FROM THE LONDON 'TIMES,' NOVEMBER 9, 1874.

REPLY OF ARCHBISHOP MANNING.

To the Editor of the Times:

Sir,—The gravity of the subject on which I address you, affecting as it must every Catholic in the British Empire, will, I hope, obtain from the courtesy that you have always shown to me the publication of this letter.

This morning I received a copy of the pamphlet entitled "The Vatican Decrees in their bearing on Civil Allegiance." I find in it a direct appeal to myself, both for the office I hold and for the writings I have published. I gladly acknowledge the duty that lies upon me for both those reasons. I am bound by the office I bear not to suffer a day to pass without repelling from the Catholics of this country the lightest imputation upon their loyalty; and, for my teaching, I am ready to show that the principles I have ever taught are beyond impeachment upon that score.

It is true, indeed, that, in page 57 of the pamphlet, Mr. Gladstone expresses his belief "that many of his Roman Catholic friends and fellow-countrymen" are, "to say the least of it, as good citizens as himself." But as the whole pamphlet is an elaborate argument to prove that the teach-

ing of the Vatican Council renders it impossible for them to be so, I cannot accept this graceful acknowledgment, which implies that they are good citizens because they are at variance with the Catholic Church.

I should be wanting in duty to the Catholics of this country and to myself if I did not give a prompt contradiction to this statement, and if I did not with equal promptness affirm that the loyalty of our civil allegiance is not in spite of the teaching of the Catholic Church, but because of it.

The sum of the argument in the pamphlet just published to the world is this: That by the Vatican Decrees such a change has been made in the relations of Catholics to the civil power of States that it is no longer possible for them to render the same undivided civil allegiance as it was possible for Catholics to render before the promulgation of those Decrees.

In answer to this, it is for the present sufficient to affirm:

1. That the Vatican Decrees have in no jot or tittle changed either the obligations or the conditions of civil allegiance.

2. That the civil allegiance of Catholics is as undivided as that of all Christians and of all men who recognize a divine or natural moral law.

3. That the civil allegiance of no man is unlimited, and therefore the civil allegiance of all men who believe in God, or are governed by conscience, is in that sense divided.

In this sense, and in no other, can it be said with truth that the civil allegiance of Catholics is divided. The civil allegiance of every Christian man in England is limited by

conscience and the law of God, and the civil allegiance of Catholics is limited neither less nor more.

The public peace of the British Empire has been consolidated in the last half century by the elimination of religious conflicts and inequalities from our laws. The Empire of Germany might have been equally peaceful and stable if its statesmen had not been tempted in an evil hour to rake up the old fires of religious disunion. The hand of one man more than any other threw this torch of discord into the German Empire. The history of Germany will record the name of Doctor Ignatius von Döllinger as the author of this national evil. I lament not only to read the name, but to trace the arguments of Dr. von Döllinger in the pamphlet before me. May God preserve these kingdoms from the public and private calamities which are visibly impending over Germany! The author of the pamphlet, in his first line, assures us that his "purpose is not polemical, but pacific." I am sorry that so good an intention should have so widely erred in the selection of the means.

But my purpose is neither to criticise nor to controvert. My desire and my duty as an Englishman, as a Catholic, and as a pastor, is to claim for my flock and for myself a civil allegiance as pure, as true, and as loyal as is rendered by the distinguished author of the pamphlet or by any subject of the British Empire.

I remain, Sir, your faithful servant,

HENRY EDWARD,

Archbishop of Westminster.

November 7.

REPLY OF LORD ACTON.

To the Editor of the Times:

Sir,—May I ask you to publish the enclosed preliminary reply to Mr. Gladstone's public Expostulation?

Your obedient servant,

ACTON.

Athenæum, *November* 8.

Dear Mr. Gladstone,—I will not anticipate by a single word the course which those who are immediately concerned may adopt in answer to your challenge. But there are points which I think you have overlooked, and which may be raised most fitly by those who are least responsible. The question of policy and opportuneness I leave for others to discuss with you. Speaking in the open daylight, from my own point of view, as a Roman Catholic born in the nineteenth century, I cannot object that facts which are of a nature to influence the belief of men should be brought completely to their knowledge. Concealment is unworthy of those things which are Divine and holy in re-

ligion, and in those things which are human and profane publicity has value as a check.

I understand your argument to be substantially as follows: The Catholics obtained Emancipation by declaring that they were in every sense of the term loyal and faithful subjects of the realm, and that Papal Infallibility was not a dogma of their Church. Later events have falsified one declaration, have disturbed the stability of the other; and the problem therefore arises whether the authority which has annulled the profession of faith made by the Catholics would not be competent to change their conceptions of political duty.

This is a question that may be fairly asked, and it was long since made familiar to the Catholics by the language of their own Bishops. One of them has put it in the following terms: "How shall we persuade the Protestants that we are not acting in defiance of honor and good faith, if, having declared that Infallibility was not an article of our faith while we were contending for our rights, we should, now that we have got what we wanted, withdraw from our public declaration and affirm the contrary?" The case is, *primâ facie*, a strong one, and it would be still more serious if the whole structure of our liberties and our toleration was founded on the declarations given by the English and Irish Bishops some years before the Relief Act. Those documents, interesting and significant as they are, are unknown to the Constitution. What is known, and what was for a generation part of the law of the country, is something more solemn and substantial than a series of unproved assertions—namely, the oath in which the political essence of those declarations was concentrated. That was

the security which Parliament required; that was the pledge by which we were bound; and it binds us no more. The Legislature, judging that what was sufficient for Republicans was sufficient for Catholics, abolished the oath, for the best reasons, some time before the disestablishment of the Irish Church. If there is no longer a special bond for the loyalty of Catholics, the fact is due to the deliberate judgment of the House of Commons. After having surrendered the only real constitutional security, there seems scarcely reason to lament the depreciation of a less substantial guarantee, which was very indirectly connected with the action of Parliament, and was virtually superseded by the oath.

The doctrines against which you are contending did not begin with the Vatican Council. At the time when the Catholic oath was repealed the Pope had the same right and power to excommunicate those who denied his authority to depose princes that he possesses now. The writers most esteemed at Rome held that doctrine as an article of faith; a modern Pontiff had affirmed that it cannot be abandoned without taint of heresy, and that those who questioned and restricted his authority in temporal matters were worse than those who rejected it in spirituals, and accordingly men suffered death for this cause as others did for blasphemy and Atheism. The recent decrees have neither increased the penalty nor made it more easy to inflict.

That is the true answer to your appeal. Your indictment would be more just if it was more complete. If you pursue the inquiry further, you will find graver matter than all you have enumerated, established by higher and more

ancient authority than a meeting of bishops half-a-century ago. And then I think you will admit that your Catholic countrymen cannot fairly be called on to account for every particle of a system which has never come before them in its integrity, or for opinions whose existence among divines they would be exceedingly reluctant to believe.

I will explain my meaning by an example: A Pope who lived in Catholic times, and who is famous in history as the author of the first Crusade, decided that it is no murder to kill excommunicated persons. This rule was incorporated in the Canon Law. In the revision of the Code, which took place in the 16th century, and produced a whole volume of corrections, the passage was allowed to stand. It appears in every reprint of the 'Corpus Juris.' It has been for 700 years and continues to be part of the ecclesiastical law. Far from having been a dead letter, it obtained a new application in the days of the Inquisition, and one of the later Popes has declared that the murder of a Protestant is so good a deed that it atones, and more than atones, for the murder of a Catholic. Again, the greatest legislator of the Mediæval Church laid down this proposition, that allegiance must not be kept with heretical Princes—*cum ei qui Deo fidem non servat fides servanda non sit.* This principle was adopted by a celebrated Council, and is confirmed by St. Thomas Aquinas, the oracle of the schools. The Syllabus which you cite has assuredly not acquired greater authority in the Church than the Canon Law and the Lateran Decrees, than Innocent the Third and St. Thomas. Yet these things were as well known when the oath was repealed as they are now. But it was felt that, whatever might be the letter of Canons and the spirit of the Ecclesiastical

Laws, the Catholic people of this country might be honorably trusted.

But I will pass from the letter to the spirit which is moving men at the present day. It belongs peculiarly to the character of a genuine Ultramontane not only to guide his life by the example of canonized Saints, but to receive with reverence and submission the words of Popes. Now, Pius V., the only Pope who has been proclaimed a Saint for many centuries, having deprived Elizabeth, commissioned an assassin to take her life; and his next successor, on learning that the Protestants were being massacred in France, pronounced the action glorious and holy, but comparatively barren of results; and implored the King during two months, by his Nuncio and his Legate, to carry the work on to the bitter end until every Huguenot had recanted or perished. It is hard to believe that these things can excite in the bosom of the most fervent Ultramontane that sort of admiration or assent that displays itself in action. If they do not, then it cannot be truly said that Catholics forfeit their moral freedom, or place their duty at the mercy of another.

There is waste of power by friction even in well-constructed machines, and no machinery can enforce that degree of unity and harmony which you apprehend. Little fellowship or confidence is possible between a man who recognizes the common principles of morality as we find them in the overwhelming mass of the writers of our Church and one who, on learning that the murder of a Protestant Sovereign has been inculcated by a saint, or the slaughter of Protestant subjects approved by a Pope, sets himself to find a new interpretation for the Decalogue. There is little to apprehend

from combinations between men divided by such a gulf as this, or from the unity of a body composed of such antagonistic materials. But where there is not union of an active or aggressive kind, there may be unity in defence; and it is possible, in making provision against the one, to promote and to confirm the other.

There has been, and I believe there is still, some exaggeration in the idea men form of the agreement in thought and deed which authority can accomplish. As far as decrees, censures, and persecution could commit the Court of Rome, it was committed to the denial of the Copernican system. Nevertheless, the history of astronomy shows a whole catena of distinguished Jesuits; and, a century ago, a Spaniand who thought himself bound to adopt the Ptolemaic theory was laughed at by the Roman divines. The submission of Fénelon, which Protestants and Catholics have so often celebrated, is another instance to my point. When his book was condemned, Fénelon publicly accepted the judgment as the voice of God. He declared that he adhered to the decree absolutely and without a shadow of reserve, and there were no bounds to his submission. In private he wrote that his opinions were perfectly orthodox and remained unchanged, that his opponents were in the wrong, and that Rome was getting religion into peril.

It is not the unpropitious times only, but the very nature of things, that protect Catholicism from the consequences of some theories that have grown up within it. The Irish did not shrink from resisting the arms of Henry II., though two Popes had given him dominion over them. They fought against William III., although the Pope had given him efficient support in his expedition. Even James

II., when he could not get a mitre for Petre, reminded Innocent that people could be very good Catholics and yet do without Rome. Philip II. was excommunicated and deprived, but he despatched his army against Rome with the full concurrence of the Spanish divines.

That opinions likely to injure our position as loyal subjects of a Protestant sovereign, as citizens of a free State, as members of a community divided in religion, have flourished at various times, and in various degrees, that they can claim high sanction, that they are often uttered in the exasperation of controversy, and are most strongly urged at a time when there is no possibility of putting them into practice—this all men must concede. But I affirm that, in the fiercest conflict of the Reformation, when the rulers of the Church had almost lost heart in the struggle for existence, and exhausted every resource of their authority, both political and spiritual, the bulk of the English Catholics retained the spirit of a better time. You do not, I am glad to say, deny that this continues to be true. But you think that we ought to be compelled to demonstrate one of two things—that the Pope cannot, by virtue of powers asserted by the late Council, make a claim which he was perfectly able to make by virtue of powers asserted for him before; or, that he would be resisted if he did. The first is superfluous. The second is not capable of receiving a written demonstration. Therefore neither of the alternatives you propose to the Catholics of this country opens to us a way of escaping from the reproach we have incurred. Whether there is more truth in your misgivings or in my confidence the event will show, I hope, at no distant time.

I remain sincerely yours, ACTON.

[FROM THE LONDON TIMES.]

ARCHBISHOP MANNING ON ROMAN CATHOLIC POLITICS.

A LARGE meeting of Roman Catholics assembled at Archbishop Manning's house at Westminster on Thursday night to hear his inaugural address to the Roman Catholic Academia in reference to the future policy of the Catholic world. In the course of his observations he said they were all aware that the Catholic Academia was formed at the close of the last century to unite Catholics throughout the world in opposing the Atheistical teaching of the so-called Free-thinkers of France and Germany, whose thoughts were disseminated by the free Press of England.. Thirteen years ago it was found necessary to extend the work of the Association to England, and he was glad to say, though he did not like to use exulting words, that they had done much to correct and educate the Press of this country. In the present crisis, and looking to the coming great future struggle, they had a vast work before them. Looking at the hostility manifested on the Continent to the Sovereign Pontiff, he invited their special attention to the best means of asserting his infallibility and his right to spiritual and temporal power. One thing he would call their attention to —namely, that since his temporal power on the Continent had been denied him, his spiritual power and influence over

his subjects had greatly increased. In the conflict of nations which they had seen around them since their departure from their allegiance to the temporal power of the Holy Father, a vast amount of blood had been shed, and nations in their perplexity had lately been seeking some means to avert the terrible calamities of war.

At the International Arbitration Conference recently held at Geneva, one of the influential speakers had proposed that cases of national dispute should be submitted to arbitrators appointed from the principal nations of the world, and their decision the conflicting nations should be called upon to obey. If, however, the nations in question refused to submit, then the whole of the other nations were to be called upon to join in a war against the contending party. Instead of this proposed system putting an end to war, could they, he would ask, imagine any thing more likely to prolong European wars than such a plan? There could be but one authorized arbitrator between the nations of the earth, and that one, he need scarcely tell them, was the one who was not interested in the temporal affairs of one nation more than another, but was impartial to all, and that one was the Sovereign Pontiff himself. Then there was another meeting to which he would call their attention, and that was one which had been held at Bonn for the purpose of endeavoring to unite persons of various religious beliefs upon spiritual matters, according to the teachings of what they called the Old Catholics, to be settled by the history of the Catholic Church. Well, the question which would naturally arise in the mind of a true Catholic would be as to who would have to select the historians to be appealed to. The answer of the Catholic Church would be that just as a man only knows his own spirit and his own history, so it is with the Church. The Catholic Church knows her own history, and none other knows it so well. To her historians and to her teachings alone, then, such parties must return.

The next question, then, to which he would invite their

attention, was the modern scepticism, free thought, and so-called scientific teachings of the day in relation to Catholic teaching, and for an illustration of the style of thought he would refer them to Professor Tyndall's address the other day at the Belfast meeting of the British Association. Upon this subject they would do well to read a very excellent article in *The Times* of Saturday last. Whoever wrote that article, he was a good man, and knew what he was writing about. It was the old story of Galileo, and they would do well to study these articles for the purpose of answering them according to the teachings of the Catholic Church. Other subjects to which he would like them to give their attention were the various phases of thought in the Protestant Church, and especially those among the Dissenters. The other questions which he invited their most serious consideration to were the infallibility of the Holy Father, his right to temporal as well as spiritual authority, and, amid all the conflicting opinions of the world, the ultimate necessity of acknowledging civil allegiance to him as their only safety. Within the last twenty-four hours it had been intimated to him that the Catholic world was threatened with a controversy on the whole of the decrees of the Vatican Council. From this and other matters which had come to his knowledge he could see that they were on the very eve of one of the mightiest controversies the religious world had ever seen. Certainly nothing like the controversy on which they were about to enter had occurred during the last three hundred years, and they must be prepared. If they would only prepare themselves, he did not fear for the decrees of the Vatican Council, or for the Vatican itself. But they must have no half-hearted measures. They must have no half-fearful, half-hearted assertions of the Sovereign Pontiff's claim; they must not fear to declare to England, and to the world through the free Press of England, the Sovereign Pontiff's claim to infallibility, his right to temporal power, and the duty of the nations of the earth to return to their allegi-

ance to him. If they did this—if they proclaimed this with no uncertain sound, Protestants of England and Protestants throughout the world would hear them and be convinced. If they did this, the Protestant world would give them credit for their courage, and believe in them for their own honesty's sake. If, on the other hand, they minced matters and spoke in half-fearful measures, Protestants would only turn away from them for their want of honesty. Protestants knew well what they meant, and what the claims of the Catholic Church are, and therefore it would be best for the Church now to speak out, and he had no fear for the result.

THE END.

Pius IX, Pope

THE PAPAL

ENCYCLICAL AND SYLLABUS,

Literally Translated from the Authorized Latin Text.

REPRINTED FROM THE "DAILY NEWS."

TO WHICH IS ADDED A CORRECT TRANSLATION OF ALL THE

DOGMATIC DECREES OF THE VATICAN COUNCIL.

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1875.

THE SYLLABUS.

THE Encyclical Letter addressed by the Pope on the 8th of December, 1864, to the Bishops in communion with the Holy See.

TO OUR VENERABLE BROTHERS, TO ALL THE PATRIARCHS, PRIMATES, ARCHBISHOPS, AND BISHOPS, HAVING GRACE AND COMMUNION OF THE APOSTOLIC SEE.

PIUS THE NINTH, POPE.

VENERABLE BRETHREN,—Health and apostolic benediction. It is well known unto all men, and especially to you, Venerable Brethren, with what care and pastoral vigilance our predecessors, the Roman Pontiffs, have discharged the office and duty entrusted to them by Jesus Christ our Lord, in the person of the most blessed Peter, Prince of the Apostles, and have unremittingly fulfilled the duty of feeding the lambs and sheep, and have diligently nourished the Lord's entire flock with the words of faith, imbued it with salutary doctrine, and guarded it from poisoned pastures; and those our predecessors who were the assertors and champions of the august Catholic religion, of truth and of justice, full of solicitude for the salvation of souls, have never had anything more at heart than to lay bare and to condemn by their letters and constitutions (monuments of wisdom), all the heresies and all the errors which are contrary to our Divine faith, to the doctrine of the Catholic Church, to the integrity of morals, and to the eternal salva-

tion of men, and which have frequently stirred up grave commotions and damaged both the Christian and civil commonwealths in a disastrous manner. Wherefore our predecessors have, with Apostolic vigour, continually resisted the culpable machinations of the wicked, who, like the waves of the sea in a storm, foaming forth their own shame and promising liberty whilst they are the slaves of corruption, have striven by false maxims and pernicious writings to tear up the foundations of religious and social order, to banish all virtue from the world, to corrupt all souls, and to withdraw from uprightness of morals the rash, and chiefly inexperienced youth—to corrupt them miserably, entangling them in the nets of error, and at length tearing them from the bosom of the Catholic Church. And now, as you well know, Venerable Brethren, scarcely had we (by the secret counsel of Providence and without any merit of our own) been raised to the chair of Peter when we, with heart pierced with grief, beheld a horrible tempest stirred up by so many perverse doctrines, and the dreadful and supremely lamentable mischiefs drawn down upon the Christian people by such errors. In accordance with the duty of our Apostolic ministry and the illustrious examples of our predecessors, we raised our voice, and in many Encyclicals, Allocutions pronounced in Consistory, and other Apostolic letters, have condemned the principal errors of this our sad age, have stimulated your admirable episcopal vigilance, and have warned and exhorted all the children of the Catholic Church, our well-loved sons, to hold in horror and to avoid the contagion of this cruel plague. Especially in our first Encyclical of the 9th of November, 1846, addressed to you, and in two Allocutions pronounced in Consistory, one on the 9th of December, 1854, and the other on the 9th of June, 1862, we have condemned the monstrous errors which prevail, especially in the present age, to the great loss of souls, and to the detriment of civil society, and which are in the highest degree hostile, not only to the Catholic Church and to her salutary doctrines and sacred

rites, but also to the eternal natural law engraven by God upon all hearts, and to right reason itself. Now, although we have not omitted to proscribe and to reprove these errors, yet the cause of the Catholic Church, the salvation of souls entrusted by God to our solicitude, and even the interests of human society, imperiously demand that again we should stir up your solicitude by the condemnation of other opinions proceeding from the source of the same errors. These false and perverse opinions ought to be so much the more detested as their principal object is to hinder and impede that salutary power which the Catholic Church, by virtue of the institution and commandment of her Divine Founder, ought to exercise until the end of time (no less over individuals than nations, over people than their sovereigns), and to destroy that mutual union and concord between the priesthood and the Government which always is so salutary to Church and State (Gregory XVI. Encycl. Mirari, 1832). You are well aware, Venerable Brethren, that at this time there are not a few who, applying to civil society the impious and absurd principle of naturalism, as they call it, dare to teach that the welfare of Governments and civil progress require that human society should be constituted and governed with no more regard to religion than as if it did not exist, or at least without making any difference between the true religion and false religions. Contrary to the Scriptures, the doctrines of the Church and of the Holy Fathers, they do not hesitate to declare that the best Government is that in which the State does not recognise the duty of punishing the violators of the Catholic religion, except when the maintenance of public peace demands it. In consequence of this absolutely false idea of social government, they do not scruple to support that erroneous opinion so fatal to the Catholic Church and the safety of souls which our predecessor of happy memory, Gregory XVI., called an insanity—namely, that liberty of conscience and of worship is the right of every man, and that in every well-constituted State this right ought to be proclaimed and

sanctioned, and that citizens have a right to put forward their opinions openly and in public whatever they may be, either by word or in print or otherwise, without limitation by ecclesiastical or civil authority. But in making these rash assertions these men do not advert to the fact that they preach a liberty of perdition, and that if it is always allowable for human opinions to be discussed there will always be men who will dare to resist the truth and trust in human wisdom, though it is well known to the wise and faithful that our Lord Jesus Christ has taught that this very dangerous presumption should be avoided.

Where religion is banished from civil society, and the doctrine and authority of divine revelation are rejected, the true notion of justice and human right becomes dim and is lost, and material force takes the place of justice and true right. Thence it is clear why certain men having no regard to the most assured principles of sound reason dare to affirm that the will of the people, manifested by what they call public opinion, or in any other manner, constitutes a supreme law independent of all divine and human right, and that in the political order, deeds done, because they are done, have the force of right. But who does not see and feel that a society set free from the laws of religion and true justice can have no other object than the accumulation of wealth, and no other law in all its acts than the eager desire to satisfy its passions and to procure its enjoyments? That is why men of this character pursue the religious orders with cruel hatred, without having regard to the immense services they have rendered to religion, to society, and to letters—that is why they inveigh against them, saying, there is no legitimate reason for their existence; and thus echo the calumnies of heretics. For, as was most wisely taught by our predecessor of happy memory, Pius VI., the abolition of the religious orders inflicts a wound on the State which makes a public profession of following the counsels of the Gospel; it attacks a mode of life recommended by the Church as in conformity with the doctrine of the Apostles, and it insults the illus-

trious founders of orders, whom we venerate on our altars, and who instituted these societies under the inspiration of God. They go further, and impiously declare that it is necessary to take from citizens and the Church the power of giving charity in public, and to abolish the law which on certain fixed days prohibits servile labour on account of divine worship—all that under the vain pretext that that power and that law are in opposition to the principles of true public economy. Not content with banishing religion from society, they seek to banish it from the family. Teaching and professing the fatal error of Communism and of Socialism, they declare that domestic society or the family derives all its reason of existence solely from the civil law; and consequently all the rights of parents over their children emanate from and depend upon the civil law—especially the right of instruction and education. With these false teachers the principal objects of these impious maxims and of these machinations is to take away completely the instruction and the education of the young from salutary doctrine and the influence of the Church, so as to defile and deprave the tender and pliant mind of youth by the most pernicious errors and by all sorts of vices. All those who have tried to overthrow religious and social order, and to destroy all laws human and divine, have always endeavoured by their counsels, their activity, and their efforts especially to deceive and to deprave unthinking youth, as we have already shown it is upon the corruption of youth that they place all their hopes. That is why the regular and secular clergy have always been the objects of their most heinous persecutions in spite of the striking witness borne by history to the immense services they have rendered to religious and civil order and to letters, and why they say that the clergy, being the enemy of light, civilisation, and progress, it is necessary to take away from them the education of youth. Others, reviving the fatal errors of the innovators so many times condemned, have the extraordinary impudence to declare that the supreme authority given to the

Church and to this Apostolic See by our Lord Jesus Christ is subordinate to the civil authority, and they deny all the rights of this same Church and of this same See with regard to the things which pertain to the secular order. These persons do not blush to affirm that the laws of the Church do not bind the conscience unless they are promulgated by the civil power; that the acts and decrees of the Roman Pontiffs concerning religion and the Church need the sanction and the approbation, or at least the consent, of the civil power; that the apostolic constitutions condemning secret societies, whether these do or do not exact the oath of secrecy, and anathematising their partisans and followers, have no force in countries where the civil Government permits these associations; that the excommunication launched by the Council of Trent and by the Roman Pontiffs against the invaders and usurpers of the rights and possessions of the Church is based upon a confusion between the spiritual and the civil and political order, and has no other object but worldly interest; that the Church cannot make decrees binding the consciences of the faithful with regard to the manner in which they employ their worldly possessions; that the Church has not the right of punishing by temporal penalties those who violate its laws; and that it is in accordance with the principles of theology and of public law for the civil Government to appropriate and retain property possessed by the Church, by religious houses, and by other pious establishments. And they are not ashamed to avow openly and publicly heretical axioms and principles which have been the source of a thousand errors and pernicious opinions; they declare that the ecclesiastical power is not by the law of God made distinct from and independent of the civil power, and that this distinction cannot exist without the Church invading and usurping the rights of the civil power. Neither can we pass over in silence the audacity of those who, not upholding wholesome doctrine, pretend that, with regard to the judgments of the Apostolic See and to those of

its decrees having for evident object the general good of the Church, its rights and discipline, unless they touch upon the dogmas of faith and morals, one can refuse to conform and to submit to them without sin and without detriment to the profession of Catholicism. No one will fail to see clearly, and to understand how contrary such a doctrine is to the Catholic doctrine of the plenary authority divinely given by our Lord Jesus Christ himself to the Roman Pontiff—to feed, to rule, and to govern the universal Church.

Amidst the perversity of depraved opinions, we—penetrated with the duty of our apostolic charge, and full of solicitude for our holy religion, for sound doctrine, for the safety of souls which have been confided to us from on high, and even for the welfare of human society—have believed it our duty to raise anew our voice. Consequently we reprobate by our Apostolic authority all and each of the evil opinions and doctrines mentioned in detail in the present letters. We proscribe them, we condemn them, and we desire and command that all the children of the Catholic Church should hold them as entirely reprobated, proscribed, and condemned. Besides all that, you know very well, Venerable Brethren, that at the present time the enemies of all truth and all justice, the bitter enemies of our holy religion (by means of pestilent books, of pamphlets, and of newspapers distributed to the four corners of the earth) deceive the people, wickedly lie, and disseminate every kind of impious doctrine. Neither are you ignorant that at the present day there are men who, animated and excited by the spirit of Satan, have reached such a degree of iniquity that they deny our Lord and Master Jesus Christ, and do not tremble to attack His divinity with the most criminal effrontery. And here we cannot refrain from awarding you, Venerable Brethren, the highest and best merited praises for the zeal with which you have raised your episcopal voice against such a great impiety. That is why in the present letter we address ourselves again to you with affection—to you who (called upon to share our solicitude) are, in the

midst of our great griefs, our joy, our consolation, and our encouragement on account of your religion, your piety, and your love, and of that faith and that admirable devotedness with which you endeavour to accomplish firmly and carefully the grave charge of your episcopal ministry in intimate and cordial union with us and with the Apostolic See. We expect, then, from your excellent pastoral zeal that, taking the sword of the Spirit, which is the word of God, and strengthened by the grace of our Lord Jesus Christ, you strive still more each day by your redoubled cares that the faithful committed to your care "abstain from weeds which Jesus Christ does not cultivate, because they have not been planted by His Father." Never cease to impress upon the faithful that for those of our august religion all true happiness proceeds from its doctrines and its practice, and that "happy is that people whose God is the Lord." Teach them that kingdoms rest upon the foundation of the Catholic faith, that there is nothing so deadly, and that nothing more exposes to destruction and to all dangers than for men to believe that the free will we have received at our birth is sufficient for us without asking anything else of God; that is to say that, forgetting our author, we should dare to deny His power in order to show ourselves free. Do not omit to teach that Royal Power has been established not only for the government of this world, but above all things for the protection of the Church, and that nothing can be more beneficial and more glorious for the heads of States and for Kings than to conform to those words, which our very wise and very courageous predecessor, St. Felix, wrote to the Emperor Zeno—that is to say, to allow the Catholic Church to govern itself by its own laws, and not to permit any to curtail its liberty. It is certain that it is advantageous for them, when the affairs of God are in question, to follow the order which He has prescribed, and to subordinate, and not to prefer, the royal will to the will of the priests of Christ. But if we ought at all times, Venerable Brethren, to address ourselves with confidence to the Throne of Grace to obtain

mercy and help in the time of need, we ought especially to do so in the midst of these great calamities of the Church, and of civil society; and in view of such a great accumulation of errors, and of such a vast conspiracy of enemies of Catholic society, and of this holy Apostolic See. We have, therefore, judged it useful to excite the piety of all the faithful, so that uniting with us they may not cease to invoke and to supplicate the very forgiving Father of lights and mercies by their most fervent and humble prayers; in order, also, that in the plenitude of their faith they may have recourse to our Lord Jesus Christ, who has redeemed us to God by His blood, and that they may ask earnestly and continually of His very Sacred Heart, victim of His burning love for us, that it may draw all men to Him by the bonds of His love, so that all men being inflamed by His holy love may walk worthily according to His heart, pleasing to God in all things, and fruitful in good works.

And as the prayers of men are more agreeable to God when they come to Him with hearts pure from every stain, we have resolved with Apostolic liberality to open to faithful Christians the celestial treasures of the Church which have been confided to our dispensation, so that, excited more warmly to true piety, and purified from their sins by the Sacrament of Penitence, they may with more confidence pour out their prayers before God, and obtain His pardon and His mercy.

Consequently we grant in the present letter, by virtue of our Apostolic authority, to all and each of the faithful of both sexes throughout the Catholic world, a plenary indulgence in the form of a jubilee during the space of one month up to the end of the coming year 1865, and not beyond, to be carried into effect by you, Venerable Brethren, and by the other legitimate local ordinaries in the form and manner laid down at the commencement of our Sovereign Pontificate by our Apostolic letter in form of a brief, dated the 20th of November, 1846, sent to all the Bishops of the world, and beginning with these words: "Arcano Divinæ Providentiæ

consilio," and with the faculties given by us in this same letter. We desire that all the prescription contained in this letter should be observed, saving the exceptions which we have declared are to be made. We grant this in spite of all contrary dispositions, even those which are worthy of a special and individual mention and derogation. And to remove every doubt and difficulty, we have ordered that copies of this letter should be again forwarded to you. Let us implore, Venerable Brethren, from our inmost hearts and with all our mind, the mercy of God, because He has himself said, "I will not withdraw my mercy from them." Let us ask and we shall receive, and if the result of our demands is slow because we have grievously sinned, let us knock, for to him that knocketh it shall be opened; if our prayers, groans, and tears, in which we should persevere and persist, knock at the door, if our prayers are unanimous, let each one pray to God, not only for himself, but for all his brethren, as the Lord has taught us to pray. And in order that God may more easily grant our prayers and our wishes, yours and those of all the faithful, let us confidently take for our advocate with Him the Immaculate and very holy Mother of God, the Virgin Mary, who has destroyed all heresies throughout the world, and who, the most loving mother of us all, is very gracious and full of mercy; who shows herself accessible to all prayers, who is very clement to all, and who takes all our necessities under her pitying care with an unlimited affection. In her quality of Queen standing on the right hand of her only Son our Lord Jesus Christ, and adorned with a golden and ornamented vestment, there is nothing that she cannot obtain from Him. Let us implore also the intervention of the blessed Peter, Prince of the Apostles, and of Paul his apostolic companion, and of all the saints in heaven, those friends of God who, having already attained the heavenly kingdom, the crown and the palm, and being henceforth sure of their own immortality, are full of solicitude for our safety. Finally, we ask of God with all our heart abundance of all heavenly gifts, and we give from

the loving depths of our heart, and as a pledge of our particular affection, our Apostolic benediction to your venerable brothers, and to all the faithful clergy and laity confided to your care.

Given at Rome, from St. Peter's, the 8th of December, 1864, the tenth year since the dogmatic definition of the Immaculate Conception of the Virgin Mary, Mother of God, and the nineteenth year of our Pontificate.

PIUS THE NINTH—POPE.

SYLLABUS

PRESENTING THE PRINCIPAL ERRORS OF OUR TIME, WHICH ARE STIGMATIZED IN THE CONSISTORIAL ALLOCUTIONS, ENCYCLICALS, AND OTHER APOSTOLIC LETTERS OF OUR MOST HOLY LORD, POPE PIUS THE NINTH.

SECTION 1.—PANTHEISM, NATURALISM, AND RATIONALISM ABSOLUTE.

1. There exists no Divine being, perfect in his wisdom and goodness, who is distinct from the universe, and God is of the same nature as things, and consequently subject to change; in effect, God is produced in man and in the world, and all beings are God, and have the same substance as God. God is thus one and the same thing with the world; consequently the mind is the same thing with matter, necessity with liberty, the true with the false, the good with the evil, and the just with the unjust.—2. All action of God upon man and upon the world is to be denied.—3. Human reason, without any regard to God, is the sole arbiter of truth and

falsehood, of good and evil; it is a law to itself, and by its natural force it suffices to secure the welfare of men and nations.—4. All the truths of religion are derived from the inborn strength of human reason; hence it follows that reason is the sovereign rule by which men can and ought to acquire knowledge of all truths of every kind.—5. Divine revelation is imperfect, and therefore subject to a continual and indefinite progress corresponding with the development of human reason.—6. Christian faith is in opposition to human reason, and Divine revelation is not only useless but it injures the perfection of man.—7. The prophecies and the miracles uttered and narrated in the Holy Scriptures are poetic fictions, and the mysteries of the Christian faith are the result of philosophical investigations. In the books of the two Testaments are contained mythical inventions, and Jesus Christ himself is a myth.

Section 2.—MODERATE RATIONALISM.

8. As human reason is on an equality with religion itself, so the theological sciences ought to be treated in the same manner as the philosophical sciences.—9. All the dogmas of the Christian religion, without distinction, are the object of natural science or philosophy, and human reason, having only an historic culture, can from its own natural strength and principles arrive at a true knowledge of even the most abstruse dogmas, provided that these dogmas have been proposed as a subject for reason.—10. As the philosopher is one thing and philosophy another, so it is the right and duty of the philosopher to submit himself to the authority which he shall have recognised as true; but philosophy neither can nor ought to submit to any authority.—11. The Church ought not only never to animadvert upon philosophy, but it ought even to tolerate its errors, leaving to philosophy

the care of correcting itself.—12. The decrees of the Apostolic See and of the Roman Congregation prevent the free progress of science.—13. The method and principles by which the old scholastic doctors cultivated theology are no longer in harmony with the necessities of the age and the progress of science.—14. Philosophy must be studied without any account being taken of supernatural revelation. To the rationalistic system belong the greater part of the errors of Antoine Günther, condemned in the letter to the Cardinal Archbishop of Cologne, "Eximiam Tuam," June 15, 1857, and in the letter to the Bishop of Breslau, "Dolore haud mediocri," April 30, 1860.

Section 3.—INDIFFERENTISM, LATITUDINARIANISM.

15. Every man is free to embrace and to profess the religion he shall believe true guided by the light of reason. —16. Men may find the way of eternal salvation and obtain eternal salvation in any religion.—17. Men may at least hope for the eternal salvation of those who do not live in the bosom of the true Church of Christ.—18. Protestantism is nothing more than another form of the same true Christian religion; a form in which men may be as pleasing to God as in the Catholic Church.

Section 4.—SOCIALISM, COMMUNISM, SECRET SOCIETIES, BIBLE SOCIETIES, CLERICO-LIBERAL SOCIETIES.

Pests of this description are frequently rebuked in the severest terms in the Encyclical, "Qui pluribus" of Nov. 9, 1846; in the Allocution, "Quibus quantisque," of April 20, 1849; in the Encyclical, "Nostris et Nobiscum," of Dec. 8,

1849; in the Allocution, "Singulari quadam," of Dec. 9, 1854; in the Encyclical, "Quanto conficiamur mœrore," of August 10, 1863.

Section 5.—ERRORS CONCERNING THE CHURCH AND HER RIGHTS.

19. The Church is not a true and perfect and entirely free society; she does not enjoy peculiar and perpetual rights conferred upon her by her Divine Founder, but it appertains to the civil power to define what are the rights of the Church and in what limits she may exercise them.—20. The ecclesiastical authority ought not to exercise its prerogative without the permission and assent of the civil Government.—21. The Church has not the power of defining dogmatically that the religion of the Catholic Church is the only true religion.—22. The obligation which binds Catholic teachers and writers is limited to things which have been determined by the infallible judgment to be dogmas of faith which ought to be believed by all.—23. The Roman Pontiffs and Œcumenical Councils have exceeded the limits of their power; they have usurped the rights of princes, and they have even erred in defining matters relating to faith and morals.—24. The Church has not the right of employing force; she has no temporal power, direct or indirect.—25. Besides the power inherent in the episcopate, there is a temporal power which has been expressly or tacitly conceded to it by the civil authority, and which is therefore revocable at will by this same authority.—26. The Church has not the natural and legitimate right of acquisition and possession.—27. The ministers of the Church and the Roman Pontiffs ought to be excluded from all charge and dominion over temporal affairs.—28. Bishops have not the right of publishing even their apostolic letters without the permission of the Government.—29. Dispensations granted by the Roman Pontiff ought to

be regarded as null unless they have been requested by the Government.—30. The immunity of the Church and of ecclesiastical persons derives its origin from the civil power.—31. Ecclesiastical jurisdiction for temporal causes, whether civil or criminal, of the clergy, ought to be absolutely abolished, without even consulting the Holy See, and without taking heed to its protests.—32. The personal immunity by which the clergy are exonerated from military service may be abolished without any violation of equity or natural right. Civil progess requires this abolition, especially in a society constituted on principles of liberal government.—33. It does not appertain solely to ecclesiastical jurisdiction by any exclusive and inherent right to direct the teaching of theological truths.—34. The doctrine of those who compare the Roman Pontiff to a free prince exercising his power in the universal Church is a doctrine which prevailed in the Middle Ages.—35. There is nothing to prevent the sovereign Pontificate being transferred from the Roman Bishop and the city of Rome to another Bishop and another city by a decree of a general council or the act of all the peoples.—36. The definitions of a national council do not admit of any subsequent discussion; and the civil power can act upon the results of such national councils.—37. National Churches can be established independent of the authority of the Roman Pontiff and entirely separated from him.—38. Many arbitrary acts on the part of the Roman Pontiffs have caused the division of the Church into Eastern and Western.

SECTION 6. — ERRORS RELATING TO CIVIL SOCIETY, CONSIDERED BOTH IN ITSELF AND IN ITS RELATION TO THE CHURCH.

39. The State being the origin and source of all rights, enjoys rights which are not circumscribed, by any limits.—

40. The doctrine of the Catholic Church is opposed to the welfare and the interests of human society.—41. The civil power, even when it is exercised by an infidel sovereign, possesses an indirect and negative power over sacred things. It therefore possesses not only the right called that of "exequatur," but also the right called "Appellatio ab abusu." —42. In case of conflicting laws between the two powers the civil law ought to prevail.—43. The lay power has the authority to annul, to declare and render void solemn conventions (Concordats) entered into with the Apostolic See relating to the use of rights appertaining to ecclesiastical immunity without the consent of this See, and even in spite of its protest.—44. Civil authority can interfere in things which regard religion, morals, and spiritual government. Hence it follows that it has control over the instructions published by the pastors of the Church conformably with their mission, for the guidance of consciences: it has even power to decree concerning the administration of the Divine Sacraments, and the necessary dispositions for their reception. —45. The entire direction of the public schools in which the youth of Christian States is educated, except to a certain extent the episcopal seminaries, may and must appertain to the civil authority in such a manner that no other authority whatsoever shall be recognised as having the right to interfere in the discipline of the schools, the course of the studies, the taking of degrees, or the choice and approval of masters. —46. Further, even, in clerical seminaries, the method of instruction to be followed must be under the direction of the civil authority.—47. The best theory of civil society requires that popular schools, which are open to the children of all classes, and generally all public institutions intended for superior instruction in literature and the higher education of youth, should be freed from all ecclesiastical authority, government, and interference, and that they should be entirely under the direction of the civil and political power in conformity with the will of the rulers, and the general opinions of the age.—48. Catholics can approve of a system

of education not in connection with the Catholic faith and the authority of the Church, having for its object, or at least its principal object, only a knowledge of purely natural things and the social life of this world.—49. The secular authority can prevent the Bishops and the faithful communicating freely and mutually with each other and with the Roman Pontiff. —50. The secular authority possesses as inherent in itself the right of presenting Bishops, and may require of them that they take in hand the administration of their dioceses before receiving canonical institution and the Apostolical letters of the Holy See.—51. Further, the secular power has the right to prevent Bishops exercising their pastoral functions, and is not bound to obey the Roman Pontiff in those things which relate to Bishops' sees and the institution of Bishops.—52. The Government has of itself the right to change the age prescribed by the Church for the religious profession both of men and women, and it may enjoin upon all religious establishments to admit no person to take solemn vows without its authorisation.—53. The laws for the protection of religious establishments, their rights and functions, ought to be abolished; further, the civil power may lend its aid to all who desire to quit the religious life they had embraced, and break their solemn vows. It may also abolish religious orders, collegiate churches, and simple benefices, even those belonging to private patronage, and submit their goods and revenues to the administration and disposal of the civil authority.—54. Kings and princes are not only exempt from the jurisdiction of the Church, but they are even superior to the Church in deciding questions of jurisdiction. —55. The Church ought to be separated from the State, and the State from the Church.

Section 7.—ERRORS CONCERNING NATURAL AND CHRISTIAN MORALITY.

56. Moral laws do not need the divine sanction, and there is no necessity that human laws should be conformable to the law of nature, or receive from God the power of binding.—57. Knowledge of philosophical things and morals, as well as civil laws, may and ought to be independent of divine and ecclesiastical authority.—58. No other forces should be recognised than those which reside in matter, and all moral teaching and moral excellence should consist in accumulating and augmenting riches in every possible way, and in satisfying the passions.—59. Right consists in material action; all the duties of men are words devoid of sense and all human actions have the force of right.—60. Authority is nothing else than the result of numbers and material forces.—61. An unjust action crowned with success is in no way prejudicial to the sanctity of right.—62. The principle of non-intervention ought to be proclaimed and observed.—63. It is allowable to refuse obedience to legitimate princes and even to revolt against them.—64. The violation of an oath, however sacred it may be, and any wicked and shameful action opposed to the eternal law, is not only not blameable, but quite allowable and worthy of the highest praise when it is inspired by patriotism.

Section 8.—ERRORS CONCERNING CHRISTIAN MARRIAGE.

65. There is no proof that Christ raised marriage to the dignity of a sacrament.—66. The sacrament of marriage is but an accessory to the contract and may be separated from it, and the sacrament itself only consists in the nuptial bene-

diction.—67. By the law of nature the bond of marriage is not indissoluble, and in certain cases divorce, properly so called, may be sanctioned by the civil authority.—68. The Church has not the power of laying down what are the impediments fundamentally rendering a marriage void; but this power belongs to the secular authority, by which the existing hindrances may be removed.—69. The Church, in the course of ages, began to introduce impediments, not by her own authority, but by making use of the authority she had borrowed from the civil power.—70. The canons of the Council of Trent, which pronounce a censure of anathema against those who deny the power possessed by the Church of laying down what are the impediments fundamentally rendering a marriage void, either are not dogmatic or should be understood as applying only to these borrowed powers.—71. A marriage is not rendered null if the form prescribed by the Council of Trent is not used, if the civil law has appointed another form to be followed, and has decreed that by means of this form the marriage should be valid.—72. Boniface VIII. was the first to declare that the vow of chastity pronounced at the ordination annuls marriage.—73. A merely civil contract may constitute a true marriage among Christians, and it is false that the contract of marriage between Christians must always be a sacrament, or that the contract is null if the sacrament be excluded.—74. Matrimonial causes and betrothals belong by their nature to the civil jurisdiction. Here may be placed two other errors: the abolition of the celibacy of the clergy, and the preference due to the state of marriage over that of virginity. They are condemned, the first in the Encyclical Letter "Qui Pluribus," of Nov. 9, 1846, the second in the Apostolic Letter "Multiplices inter," of June 10, 1851.

Section 9.—ERRORS CONCERNING THE TEMPORAL POWER OF THE ROMAN PONTIFF.

75. The sons of the Christian and Catholic Church are not agreed upon the compatibility of the temporal sovereignty with the spiritual power.—76. The abolition of the temporal power of which the Holy See is possessed would conduce greatly to the liberty and happiness of the Church.—77. Besides these errors explicitly noted several other errors are tacitly condemned by the doctrine which has been declared and maintained concerning the temporal sovereignty of the Roman Pontiff, and which all Catholics are bound most firmly to hold. This doctrine is distinctly taught in the Allocution "Quibus quantisque," of April 20, 1849; in the Allocution, "Si semper antea," of May 20, 1850; in the Apostolic Letter, "Cum Catholica Ecclesia," of March 26, 1860, in the Allocution, "Novos," of September 28, 1860; in the Allocution "Jamdudum," of March 18, 1861; in the Allocution, "Maxima quidem," of June 9, 1862.

Section 10.—ERRORS HAVING REFERENCE TO MODERN LIBERALISM.

77. In the present day it is no longer beneficial for the Catholic Church to be considered as the only religion of the State, to the exclusion of all other forms of worship.—78. Whence it has been wisely provided by the law in some countries called Catholic, that strangers going to reside there shall enjoy the public exercise of their own forms of worship.—79. It is false that civil liberty of all forms of worship, and the full power granted to all to manifest openly and publicly all their thoughts and their opinions, leads more easily to the corruption of the morals and minds of the people, and to the spread of the pest of indifferentism.—80. The Roman Pontiff may and ought to reconcile himself to, and to agree with, progress, liberalism, and modern civilization.

THE VATICAN DECREES.

DOGMATIC CONSTITUTION CONCERNING THE CATHOLIC FAITH.

PIUS, BISHOP, SERVANT OF THE SERVANTS OF GOD, THE SACRED COUNCIL APPROVING, FOR A PERPETUAL REMEMBRANCE OF THE EVENT.

Our Lord Jesus Christ, the Son of God and Redeemer of Mankind, about to return to His Heavenly Father, promised that He would be with His Church Militant on earth all days even to the consummation of the world. Wherefore He has never ceased at any time to be with His cherished Spouse, to assist her teaching, to bless her working, and to succour her when imperilled. But this His salutary providence, which has been constantly manifested by other innumerable benefits, has been most evidently displayed by those abundant fruits which the whole Christian world has derived from Œcumenical Councils, and particularly from the Tridentine, although held in iniquitous times. For thus the most holy dogmas of religion were more precisely defined and more fruitfully expounded, errors condemned and restrained, ecclesiastical discipline restored and more firmly established, the pursuit of science and piety promoted amongst the clergy, colleges founded for the education of youth in the sacred ministry, and, finally, the morals of Christian nations confirmed by the more accurate instruction of the faithful and the more frequent use of the Sacraments. Hence also the communion of the members with the visible Head has been rendered more close, and new vigour imparted to the whole mystical body of Christ; hence religious orders have been multiplied, and other institutions of Christian piety; hence the ardour, assiduous and constant even to the effusion of

blood, in propagating widely throughout the world the Kingdom of Christ.

Nevertheless, while we, as it is fitting, recall with gratitude these and other singular advantages which the Church has obtained through the Divine clemency chiefly from the last Œcumenical Synod, we cannot restrain our bitter grief for most grave evils chiefly arising from this, that among a very large number either the authority of that same most holy Synod has been contemned or its most wise decrees neglected.

For no one is ignorant that, the Divine supremacy of the Church being rejected, and religious questions being abandoned to the private judgment of each individual, the heresies which the Tridentine Fathers proscribed were by degrees broken up among a multitude of sects, separated from and contending with one another, until at length among no small number all faith in Christ was overthrown. The Holy Bible itself, which they had once asserted to be the sole fountain and test of Christian doctrine, was thus no longer deemed Divine, and even began to be accounted amongst mythical fables.

Then arose, and was too widely diffused throughout the world, that doctrine of rationalism or naturalism which assailing by all means the Christian religion as a supernatural institution, strives with its whole force (after tearing from the minds of men and from the life and customs of the nations, Christ, our only Lord and Saviour) to establish the reign of what is called pure reason and nature. Forsaking thus and casting away the Christian religion, denying the true God and His Christ, the minds of many have sunk into the abyss of pantheism, materialism, or atheism, to such an extent that, denying the rational nature itself, and every rule of right and justice, they strive to uproot the very foundations of human society.

Moreover, this impiety on every side advancing, it has unhappily come to pass that many even of the children of the Catholic Church have wandered from the path of

true piety, and that in them—the truths which they retain being gradually diminished—the Catholic sense has become enfeebled. For, led away by various strange doctrines, and rashly confounding nature and grace, human science and divine faith, they are found to deprave the genuine sense of the dogmas which our Holy Mother the Church holds and teaches, and to expose to danger the integrity and sincerity of the faith.

At the sight of so many evils, how should the inmost heart of the Church be moved! For as God wills that all men should be saved and come to the knowledge of the truth; as Christ came that He might save that which was lost, and gather together in one the children of God who were scattered abroad; so the Church appointed by God to be the mother and ruler of nations knows herself to be a debtor to all, and is ever ready and solicitous to raise the fallen, to sustain the falling, to embrace those who return to her, to confirm the well disposed and to draw them on to perfection. Wherefore she cannot at any time cease from attesting and preaching that truth of God which healeth all things; knowing that it has been said to her, "My Spirit that is upon thee, and My words which I have put in thy mouth, shall not depart out of thy mouth henceforth and for ever" —Is. lix. 21.

We, therefore, walking in the footsteps of our predecessors, have never ceased to discharge our supreme Apostolic office in teaching and defending Catholic truth, and in reprobating perverse doctrines. But now the Bishops of the whole world, sitting with us and judging in this Œcumenical Synod gathered together by our authority in the Holy Ghost, supported by the written word of God, and tradition, as we have received it sacredly preserved and genuinely expounded by the Catholic Church, we have resolved to profess and declare from this Chair of Peter, in the sight of all, the saving doctrine of Christ, proscribing and anathematizing the opposite errors by the power entrusted to us by God.

Chapter 1.—CONCERNING GOD THE CREATOR OF ALL THINGS.

The Holy Catholic Apostolic Roman Church believes and confesses that there is one true and living God, Creator and Lord of Heaven and Earth; almighty, eternal, immense incomprehensible, infinite in understanding, and in will and in every perfection; and that, since He is one single, altogether simple and unchangeable spiritual substance, He is to be declared distinct from the world in entity and in essence, in Himself and of Himself most blessed and above all things which exist and can be conceived ineffably exalted.

This only true God, by His goodness and almighty power not to increase or acquire beatitude, but for the purpose of manifesting His own perfection by the good things which He bestows on creatures—of His most free will, even from the beginning of time, formed out of nothing both the spiritual and corporeal creature; that is to say, the angelical and the terrestrial, and afterwards the human creature, common as it were to both, being composed of spirit and of body.

But all things which He has created, God by His Providence defends and governs, "reaching from end to end mightily, and disposing all things sweetly" — Wisdom viii. 1; "For all things are naked and open to His eyes"—Hebrews iv. 13—even those things which, by the free action of creatures, are to be hereafter.

Chapter 2.—CONCERNING REVELATION.

The same Holy Mother Church holds and teaches that God, the beginning and end of all things, may certainly be known by the natural light of human reason through created things; for "the invisible things of Him, from the creation of the world, are clearly seen, being understood by the things which are made"—Romans i. 20. Yet nevertheless it has

pleased His wisdom and goodness, by another, and that a supernatural way, to reveal Himself and the eternal decrees of His will to the human race, as the Apostle says: "God who at sundry times and in divers manners spoke in times past to the fathers by the prophets, last of all, in these days, hath spoken to us by His Son"—Hebrews i. 1, 2.

To this Divine revelation it is indeed to be attributed that those among Divine things which are not in themselves impenetrable to the human reason, can, even in the present condition of the human race, be known by all men readily, with firm certitude and without any admixture of error. Yet not on that account should revelation be called absolutely necessary on this ground, but because God of His infinite goodness has ordained men to a supernatural end; that is, to participate in Divine good things which altogether surpass the understanding of the human mind; "for eye hath not seen, nor ear heard, neither hath it entered into the heart of man, what things God hath prepared for them that love Him"—1 Cor. ii. 9.

Therefore this supernatural revelation, according to the faith of the Universal Church, as declared by the Holy Tridentine Synod, is contained in written books and in the unwritten traditions which, having been received by the Apostles from the mouth of Christ Himself, or having been, as it were, handed down from the Apostles themselves at the dictation of the Holy Ghost, have arrived even unto us. Which entire books of the Old and New Testament, with all their parts, as they are set forth in the decree of the said Council, and as they are existing in the Latin edition of the ancient Vulgate, are to be received as holy and canonical, not, forsooth, because they were put together by mere human authority and afterwards approved by her authority, and not merely because they contain revelation without error; but because, having been written by the inspiration of the Holy Ghost, they have God for their author, and have as such been delivered to the Church herself.

Since, indeed, those things which the Holy Tridentine

Synod has beneficially decreed concerning the interpretation of Scripture for the coercion of headstrong characters are by some perversely explained, we, renewing the said decree, declare the intent thereof to be that, in matters of faith and morals which pertain to the building up of Christian doctrine, that is to be taken to be the true sense of Holy Scripture which has been and is held by Holy Mother Church, to whom it belongs to judge of the true sense and interpretation of the Holy Scripture, and, therefore, that it is not allowed to any one to interpret the same Holy Scripture against this sense, or even against the unanimous consent of the Fathers.

Chapter 3.—CONCERNING FAITH.

Since man altogether depends upon God as his Creator and Lord, and the created reason is entirely subject to the uncreated truth, we are bound to render by faith a full obedience of intellect and will to God when He makes a revelation to us. But this faith, which is the beginning of human salvation, the Catholic Church professes to be a supernatural virtue, by which, the grace of God inspiring and assisting, we believe the things revealed by Him to be true, not on account of their intrinsic truth as perceived by the natural light of reason, but on account of the authority of God Himself, who reveals them, who can neither err nor lead into error. For faith is, according to the testimony of the Apostle, "the substance of things to be hoped for, the evidence of things not seen"—Heb. xi. 1.

Nevertheless, in order that the submission of our faith may be in harmony with reason, God has willed that to the inward aids of the Holy Spirit there should be joined external proofs of His revelation; facts, that is, of a Divine character; and, in the first place, miracles and prophecies, which, as they clearly show forth both the omnipotence and the infinite knowledge of God, are signs of Divine Revelation

which are most certain, and are suited to the understanding of all men. Wherefore both Moses and the prophets, and, beyond all, Christ Himself our Lord, showed forth many and most manifest miracles and prophecies; and of the Apostles we read: "But they going forth, preached everywhere, the Lord working with them and confirming the word with signs following"—Mark xvi. 20. And again it is written: "We have also a more sure word of prophecy; whereunto ye do well that ye take heed as to a light that shineth in a dark place"—2 Pet. i. 19.

But although the assent of faith is by no means a blind motion of the mind, still no one can give such an assent to the preaching of the Gospel as is necessary for the attaining of salvation without an illumination and inspiration of the Holy Ghost, who gives to all sweetness in consenting to and believing in the truth. Wherefore faith in itself, even though it do not work by charity, is a gift of God, and the act of faith is a work appertaining to salvation by which a man renders a free obedience to God Himself, by consenting to and co-operating with His grace, which he might resist.

Therefore all those things are to be believed with Divine and Catholic faith which are contained in the Word of God, whether in Scripture or tradition, which the Church either in a solemn judgment or by her ordinary and universal authority proposes to our belief as divinely revealed.

Since, indeed, without faith it is impossible to please God, and to arrive at the fellowship of His sons; therefore without it no one ever has obtained justification, nor will any one arrive at eternal life unless he persevere in it even to the end. But in order that we may be able to satisfy the obligation of embracing the true faith, and of constantly persevering in it, God, by His only-begotten Son, has instituted the Church, and furnished it with manifest signs of its having been instituted by Him, that it might be recognised by all as the Guardian and Teacher of the revealed Word. For to the Catholic Church alone belong all those numerous and wonderful marks which are divinely ordered for the evident

credibility of the Christian faith. Moreover, the Church, by reason of her wonderful propagation, her remarkable sanctity, and her unexhausted fruitfulness in all good, and by virtue of her Catholic unity and unconquered stability, is of herself a great and perpetual ground of belief and an irrefragable testimony to her own Divine mission. Hence it is that she —like "an ensign set up for the nations"—Is. xii. 12—both invites to herself those who have not yet believed, and supplies her own sons with a certain knowledge that the faith which they profess rests upon a most sure foundation. And, indeed, to this testimony an efficacious help is added by the supernatural power. For, indeed, the most merciful Lord by His grace touches the wandering and assists them, that they may be able to come to the knowledge of the truth; and those also whom He has translated out of darkness into His wonderful light He confirms by His grace that they may persevere in that light, not deserting them unless He is deserted by them. For which reason there is no comparison of condition between those who by the heavenly gift of faith have given their adhesion to Catholic truth, and those who, led by human opinions, follow a false religion; for the former who have received the faith under the supreme authority of the Church, can never have any just cause for changing that faith, or for questioning it again as doubtful. Wherefore, giving thanks to God the Father, who has made us worthy of a part in the lot of the Saints in light, let us not neglect so great a salvation, but, looking to Jesus, the author and finisher of our faith, let us hold the confession of our faith without wavering.

Chapter 4.—Concerning Faith and Reason.

Thus also the perpetual consent of the Catholic Church has ever held, and holds, that there is a twofold order of knowledge, distinct not only in principle, but also in object; in principle, indeed, because in the one we know by natural

reason, in the other we know by Divine faith; and in object because, besides those things to which natural reason is able to attain, mysteries hidden in God are proposed to us to be believed which, unless divinely revealed, could not be known. And therefore the Apostle who testifies that God is known by the Gentiles through those things which are made, yet, when he speaks of "grace and truth having come through Jesus Christ—John i. 17—declares: "We speak the wisdom of God in a mystery, even the hidden wisdom, which God ordained before the world unto our glory: which none of the princes of this world knew, but God hath revealed it unto us by His Spirit; for the Spirit searcheth all things, yea, the deep things of God"—1 Cor. ii. 7-9. And the only-begotten Son Himself gives thanks unto the Father, because "He hideth these things from the wise and prudent, and hath revealed them unto babes"—Matt. xi. 25.

And, indeed, reason, enlightened by faith, when it seeks diligently, piously, and soberly, through God's gift attains at a certain very fruitful understanding of mysteries, as well by the analogy of those things which it knows naturally as by the connection of the mysteries themselves among themselves, and with the last end of man; yet it never becomes capable of perceiving them as it perceives the truths which form its own proper object. For the Divine mysteries so far surpass by their nature created intelligence, that although delivered by revelation and received by faith, they continue, nevertheless, covered by the veil of faith itself, and wrapped in a sort of obscurity, as long as we wander as pilgrims in this mortal life, separated from the Lord; for "we walk by faith and not by sight"—2 Cor. v. 7.

But although faith be above reason, yet there can never be any real conflict between faith and reason; for the same God who reveals mysteries and infuses faith has implanted the light of reason in the human mind; and God cannot deny Himself, nor truth ever contradict truth. But the false appearance of contradiction arises principally either from the fact that the dogmas of the faith have not been understood

and explained according to the mind of the Church, or that the glosses of opinion have been accepted as the judgments of reason. Therefore every proposition contrary to the truth of illuminated faith we define to be absolutely false (Conc. Lat. v. Bulla Apostolici Regiminis). Moreover the Church, which has received, together with the Apostolic mission of teaching, the command to guard the deposit of faith, possesses also the right and obligation of, with Divine authority, proscribing false science, lest "any be deceived by philosophy and vain deceits"—Coloss. ii. 8. On which account all faithful Christians are not only forbidden to defend as legitimate conclusions of science opinions of this kind, which are known to be contrary to the doctrines of the faith, especially if they have been condemned by the Church, but are bound altogether to regard them as errors which claim to themselves a fallacious aspect of truth.

For not only can faith and reason never be opposed, but they lend to each other a mutual support, since right reason demonstrates the foundations of faith, and, illuminated by its light, cultivates the science of Divine things; whereas faith liberates and defends reason from error, and enriches it with increased knowledge. Wherefore the Church is so far from being opposed to the culture of human arts and sciences, that in many ways she assists and promotes them. For she neither ignores nor despises the conveniences thence resulting to human life, but confesses that in so far as they proceed from God, the Lord of all knowledge, if they are rightly treated they lead us to God, His grace assisting. Neither indeed does she forbid that each of these pursuits in its own sphere should employ its own principles and peculiar method; but while recognising this just liberty, she watches carefully lest, by opposing Divine doctrine, they should incorporate errors, or, going beyond their proper limits, should encroach upon and disturb the things which are of faith.

For, moreover, the doctrine of faith which God has revealed is not proposed, like a philosophical invention, to be perfected by human skill, but is delivered as a Divine deposit to the

Spouse of Christ, faithfully to be guarded, and infallibly to be declared. Hence also that interpretation of the sacred dogmas is perpetually to be retained which Holy Mother Church has once declared; neither ever at any time may that interpretation be departed from under the form or name of a higher understanding thereof. May, therefore, the intelligence, the science, and the wisdom of each and of all—of the individual as well as of the whole Church—increase, and abundantly and greatly prosper according to the steps of ages and of generations: but in their own kind only; that is to say, in the same dogma, in the same sense, and in the same opinion. —Vinc. Lir. Comm. n. 28.

THE CANONS.

1.—CONCERNING GOD THE CREATOR OF ALL THINGS.

1. If any one shall deny, the one true God, Creator and Lord of all things visible and invisible; let him be accursed.

2. If any one shall dare to affirm that besides matter nothing exists; let him be accursed.

3. If any one shall say, that the substance or essence of God and of all things is one and the same; let him be accursed.

4. If any one shall say, that things finite as well corporeal as spiritual, or at least the spiritual, have emanated from the Divine substance; or that the Divine essence, by the manifestation or evolution of itself, becomes all things; or lastly that God is the universal or indefinite being which, in determining itself, constitutes the universality of things distinguished into genera, species, and individuals; let him be accursed.

5. If any one shall not confess that the world, and all things which are contained in it, both spiritual and material, were produced as to their whole substance by God out of nothing;

or shall say that God created, not by a will free from all necessity, but as necessarily created as He necessarily loves Himself; or shall deny that the world was made for the glory of God; let him be accursed.

2.—CONCERNING REVELATION.

1. If any one shall say, that the one and true God, our Creator and Lord, cannot be certainly known, through those things which are made, by the natural light of human reason; let him be accursed.

2. If any one shall say, that it cannot be, or that it is not fitting, that man should be instructed by Divine revelation concerning God and the worship to be paid to Him; let him be accursed.

3. If any one shall say, that man cannot be divinely elevated to a knowledge and perfection surpassing the natural, but that he is able, and is bound, of himself to arrive at length by continued progress at the possession of all that is good and true; let him be accursed.

4. If any one shall not receive, as holy and canonical, all the books of Holy Scripture, with all their parts, as set forth by the Holy Tridentine Synod, or shall deny that they were divinely inspired; let him be accursed.

3.—CONCERNING FAITH.

1. If any one shall say, that human reason is so independent that faith cannot be imposed on it by God's command; let him be accursed.

2. If any one shall say, that Divine Faith is not distinct from natural knowledge concerning God and moral realities, and therefore that it is not required for Divine Faith that revealed truth should be believed on account of the authority of God who reveals it; let him be accursed.

3. If any one shall say, that Divine revelation cannot be rendered credible by outward signs, and that, therefore, men ought to be moved to faith solely by the interior experience or private inspiration of each individual; let him be accursed.

4. If any one shall say, that no miracles can take place, and that consequently all the narratives concerning them, even those contained in Holy Scripture, are to be relegated amongst fables and myths; or that miracles can never be certainly known as such, nor the Divine origin of the Christian religion rightly proved by them; let him be accursed.

5. If any one shall say, that the assent of Christian faith is not free, but is necessarily produced by the arguments of human reason, or that the grace of God is only necessary to that living faith, which works by charity; let him be accursed.

6. If any one shall say, that there is a similarity of condition between the faithful and those who have not yet arrived at the only true faith; so that Catholics may possibly have just cause of suspending their assent to and questioning the faith which they have already received under the supreme authority of the Church, until they shall have accomplished a scientific demonstration of the credibility and truth of their faith; let him be accursed.

4.—CONCERNING FAITH AND REASON.

1. If any one shall say, that in the Divine revelation are contained no true mysteries properly so called, but that all the dogmas of faith may be understood and demonstrated from natural principles by duly cultivated reason; let him be accursed.

2. If any one shall say, that human sciences should be prosecuted with such freedom, that their assertions, even when opposed to revealed doctrine, may still be held as true, and may not be proscribed by the Church; let him be accursed.

3. If any one shall say, that it is possible, that from time to time, in the course of the progress of science, an interpretation may have to be attributed to dogmas proposed by the Church other than that which has been and is understood by the Church; let him be accursed.

We, therefore, exercising the duty of our supreme pastoral office, beseech all the faithful of Christ, by the bowels of our Lord Jesus Christ, and especially those who are set over others, or perform the duties of teachers; nay, we command them, by the authority of the same our God and Saviour, that they earnestly and diligently apply themselves to drive away and expel those errors from Holy Church, and to diffuse the light of the most pure faith.

But since it is not enough to avoid heretical depravity unless those errors also be diligently shunned which more or less nearly approach to it, we admonish all of the duty of observing also the Constitutions and Decrees by which depraved opinions of this kind which are not here enumerated at length, have been proscribed and forbidden by this Holy See.

DOGMATIC CONSTITUTION CONCERNING THE CHURCH OF CHRIST.

PIUS, BISHOP, SERVANT OF THE SERVANTS OF GOD, THE SACRED COUNCIL APPROVING, FOR A PERPETUAL REMEMBRANCE OF THE EVENT.

THE ETERNAL PASTOR and Bishop of our souls, in order to continue the perpetual saving work of His redemption, determined to build up the Holy Church, wherein, as in the house of the living God, all who believed might be united in the bond of one faith and one charity. Wherefore, before He was glorified, He prayed unto the Father, not for the Apostles only, but for those who, through their word, should come to believe in Him, that "all might be one, even as He, the Son and the Father are one"—John xvii. 21. And then he sent the Apostles whom he had chosen to Himself from the world, as He Himself had been sent by the Father; so He willed that there should ever be pastors and teachers in His Church to the end of the world. And in order that the Episcopate also might be one and undivided, and that by means of a closely united priesthood the multitude of the faithful might be kept secure in the unity of faith and communion, setting blessed Peter over the rest of the Apostles, He instituted in him the abiding principle and visible foundation of a twofold unity, on whose solid strength the everlasting temple should arise, and the majesty of the Church be exalted to Heaven, standing on this permanence of faith (S. Leo. M. serm. 4, al. 3, cap. 2, in diem Natalis sui). And since the gates of hell are gathering their strength on every side with daily increase of hatred, to tear up, if may be, the divinely laid foundation, in order to overthrow the Church; we, therefore, for the

preservation, safe keeping, and increase of the Catholic flock, the Sacred Council approving, do judge it to be necessary to propose to the belief and acceptance of all the faithful, in accordance with the ancient and constant faith of the universal Church, the doctrine touching the institution, perpetuity, and nature of the sacred Apostolic primacy, in which is found the strength and solidity of the entire Church, and at the same time to proscribe and condemn the contrary errors, so pernicious to the flock of Christ.

Chapter 1.—Concerning the Institution of the Apostolic Primacy in Blessed Peter.

We therefore teach and declare, that according to the testimony of the Gospel, the primacy of jurisdiction over the universal Church of God was immediately and directly promised and conferred upon blessed Peter the Apostle by Christ our Lord. For it was to Simon alone to whom he had already said, "Thou shalt be called Cephas" (John i. 42), after he had announced his confession of faith: "Thou art the Christ, the Son of the living God," our Lord said: "Blessed art thou, Simon Bar-jona: for flesh and blood hath not revealed it unto thee, but my Father which is in heaven. And I say also unto thee, that thou art Peter, and upon this rock I will build my Church, and the gates of hell shall not prevail against it. And I will give unto thee the keys of the kingdom of heaven: and whatsoever thou shalt bind on earth, it shall be bound in heaven; and whatsoever thou shalt loose on earth shall be loosed in heaven."—Matt. xvi. 16–19. And it was upon Simon Peter alone that Jesus, after His resurrection, bestowed the jurisdiction of chief pastor and ruler over his fold, saying: "Feed my lambs; feed my sheep"—John xxi. 15–17. To this most manifest doctrine of Holy Scripture, as it has been ever understood by the Catholic Church, are distinctly opposed the wicked opinions of those who, perverting the form of government

established by Christ the Lord and His Church, deny that Peter in his simple person, preferably to all the other Apostles, whether taken separately or together, was constituted by Christ our Lord with a true and proper primacy of jurisdiction; or of those who assert that the same primacy was not bestowed immediately and directly upon blessed Peter himself, but upon the Church, and through the Church upon Peter as her minister.

If any one, therefore, should say that blessed Peter the Apostle was not by Christ our Lord appointed the Prince of all the Apostles, and the visible Head of the whole Church Militant; or that he received directly and immediately from the same our Lord Jesus Christ a primacy of honour only and not of true and proper jurisdiction; let him be accursed.

Chapter 2.—CONCERNING THE PERPETUITY OF THE PRIMACY OF BLESSED PETER IN THE ROMAN PONTIFFS.

But what the Prince of Shepherds, and great Shepherd of the sheep, Jesus Christ our Lord, established in the person of the blessed Apostle Peter to secure the perpetual welfare and lasting good of the Church, must by the same institution necessarily remain unceasingly in the Church; which, being founded upon a rock, will stand firm to the end of the world. For none can doubt, and it is known to all ages, that the holy and most blessed Peter, the Prince and chief of the Apostles, the pillar of the faith and foundation of the Catholic Church, received the keys of the kingdom from our Lord Jesus Christ, the Saviour and Redeemer of mankind, and lives, presides, and judges, to this day and always, in his successors the Bishops of the Holy See of Rome, which was founded by him and consecrated by his blood. (Cf. Ephesini Concilii Act. 3, et S. Petri Chrysol. ep. ad Eutych. presbyt.) Whence, whosoever succeeds to Peter in this See, does by the institution of Christ Himself obtain the primacy of Peter over the universal Church. Therefore the ordinance

of truth remains, and blessed Peter, abiding in the strength of the rock in the power that he received, has not abandoned the direction of the Church (S. Leo M. Serm. 3, al. 2, cap. 3). On which account it was alway necessary that every Church, that is the faithful everywhere, should appeal to the Roman Church, on account of her supreme principality; that all being associated in the unity of that See whence the privileges of her venerable communion flow forth upon all, being knit together as members under one Head in one intimate body. (S. Tren. adv. haer. l. 3, c. 3, et Epist. Conc. Aquilei. a. 381, ad Gratian. Imper. c. 4, cf. Pius PP. 6, Breve Super solidate.)

Therefore if any one should say, that it is not by the institution of Christ our Lord or by Divine right, that blessed Peter has a perpetual line of successors in the Primacy over the universal Church, or that the Roman Pontiff is not the successor of blessed Peter in this Primacy; let him be accursed.

Chapter 3.—Concerning the Power and Nature of the Primacy of the Roman Pontiff.

Wherefore, supported by the plain testimonies of the sacred writings, and adhering to the express and distinct decrees, both of our predecessors, the Roman Pontiffs, and of the General Councils, we renew the definition of the Œcumenical Council of Florence, whereby it is to be believed by all the faithful of Christ that the Holy Apostolic See and the Roman Pontiff possesses the Primacy over the universal world, and that the Roman Pontiff is the successor of blessed Peter, prince of the Apostles, true Vicar of Christ, Head of the whole Church, and father and teacher of all Christians; and to him, in blessed Peter, was given by Jesus Christ our Lord full power of ruling, feeding, and governing the universal Church; as is also contained in the acts of the General Councils and in the Sacred Canons.

Hence we teach and declare that the Roman Church by the appointment of our Lord possesses a superiority of ordinary power over all other Churches, and that this power of jurisdiction of the Roman Pontiff, which is truly episcopal, is direct; wherefore all, of whatsoever rite and dignity, pastors and faithful, whether separately and individually, or all collectively, by their duty of hierarchical subordination and of true obedience, are bound to submit, not only in matters which belong to faith and morals, but also in those that appertain to the discipline and government of the Church throughout the entire world, so that, unity with the Roman Pontiff being preserved both as to external communion and profession of faith, the Church of Christ may be one flock under one supreme pastor. This is the doctrine of Catholic verity, from which no one can deviate without loss of faith and of salvation.

But at the same time let it be understood that this power of the Supreme Pontiff does not injure that ordinary episcopal jurisdiction whereby Bishops who have been set by the Holy Ghost in the place of the Apostles (Conc. Trid. Sess. 23, cap. 4) feed and govern, each his own flock, as true pastors, that this their episcopal authority is really asserted, strengthened and protected by the supreme and universal Pastor, as saith S. Gregory the Great: "My honour is the honour of the whole Church. My honour is the firm strength of my brethren. I am truly honoured when the honour due to each and all is not withheld." (S. Gregor. M. ad Eulog. Alexandrin. ep. 30.)

Moreover, it follows from this supreme power possessed by the Roman Pontiff that he has the right of free exercise of his office by communicating with the pastors and the people of the whole Church, that these may be taught and ruled by him in the way of salvation. Wherefore we condemn and reprobate the opinions of those who hold that the communication between this Supreme Head and the pastors and their flocks can lawfully be impeded; or who make this communication dependent upon the will of the secular

power, so as to maintain that whatever is done by the Apostolic See, or by its authority, for the government of the Church, cannot have force or value unless it be confirmed by the assent of the secular power. And since by the Divine right of Apostolic primacy the Roman Pontiff presides over the universal Church, we also teach and declare that he is the supreme judge of the faithful (Pii PP. 6, Breve Super soliditate, d. 28, Nov. 1786), and that in all causes needing ecclesiastical examination recourse may be had to him (Ep. Nicholae 1, ad Michaelem Imperatorem). Wherefore they do err from the rectitude of truth who assert that it is lawful to appeal from the judgments of the Roman Pontiffs to an Œcumenical Council, as to an authority higher than that of the Roman Pontiff.

If then any shall say that the Roman Pontiff has only the office of inspection or direction, and not full and supreme power of jurisdiction in the universal Church, not only in things which appertain to faith and morals, but also in those which relate to the discipline and government of the Church spread throughout the world; or assert that he possesses merely the principal part, and not all the plenitude of the supreme power; or that this power is not ordinary and direct, both over all and each of the Churches, as also over all and each of the pastors, and of the faithful; let him be accursed.

Chapter 4.—Concerning the Infallible Supremacy of the Roman Pontiff.

But in this Apostolic Primacy which the Roman Pontiff, as successor of Peter, Prince of the Apostles, possesses in the universal Church, there is also comprehended the supreme power of governance; such the Holy See has alway held, the perpetual practice of the Church confirms it, Œcumenical Councils have declared it, especially that one in which the East with the West met in the union of faith and charity. For the Fathers of the Fourth Council of Constantinople,

following the footsteps of their predecessors, published this solemn profession: "The first essential of salvation is to keep the rule of the true faith. And because the declaration of our Lord Jesus Christ cannot be passed by, who said, 'Thou art Peter, and upon this rock I will build my Church' (Matt. xvi. 18), these things which have been said are approved by events, because in the Apostolic See the Catholic religion and her holy and well-known doctrine has always been kept undefiled. Desiring, therefore, not to be in the least degree separated from the faith and doctrine of that See, we hope that we may deserve to be in the one communion, which the Apostolic See preaches, in which is the entire and true solidity of the Christian religion." (Ex formula S. Hormisdæ Papæ, pront ab Hadriano 2. Patribus Concilii Œcumenici 8, Constantinopolitani 4, proposita et ab iisdem subscripta est.)

And the second Council of Lyons, approving the Greeks, made this profession: "The Holy Roman Church enjoys supreme and full primacy and pre-eminence over the whole Catholic Church, which it truly and humbly acknowledges that it has received with the plenitude of power from our Lord Himself in the person of blessed Peter, Prince or Head of the Apostles, whose successor the Roman Pontiff is; and as the Apostolic See is bound before all others to defend the truth of faith, so also if any questions regarding faith shall arise, they must be defined by its judgment." Finally, the Council of Florence defined: "That the Roman Pontiff is the true Vicar of Christ, and the Head of the whole Church, and the father and teacher of all Christians; and that to him in blessed Peter was delivered by our Lord Jesus Christ the full power of feeding, ruling, and governing the whole Church"—John xxi. 15–17.

That they might satisfy this pastoral duty, our predecessors ever gave unwearied attention that the salutary doctrine of Christ might be propagated amongst all the nations of the earth, and with equal care watched that it might be preserved genuine and pure where it had been received. On which

account the Prelates of the whole world, whether separately or assembled in Synod, following the long-established custom of Churches (S. Cyr. Alex. ad S. Cœlest. P.), and the form of the ancient rule (S. Innoc. 1 ad Conc. Carth. et Milevit), sent word to this Apostolic See of those dangers especially which sprang up in matters of faith, that the losses of faith might be most effectually repaired there where the faith cannot fail (cf. S. Bern. Epist. 190). And the Roman Pontiffs, according to the exigencies of times and circumstances, sometimes assembled Œcumenical Councils, or asked the opinion of the Church scattered throughout the world, sometimes by particular Synods, sometimes using other helps which Divine Providence supplied, defined those things to be held which, with the help of God, they had recognised as conformable to the Sacred Scriptures and Apostolic traditions. For the Holy Ghost was not promised to the successors of Peter, that by His revelation new doctrines might be made known, but that by His assistance the revelation or deposit of faith delivered through the Apostles might be invariably kept and faithfully expounded. And indeed all the venerable Fathers have embraced this Apostolic doctrine, and the holy orthodox Doctors have venerated and followed it, most fully knowing that this See of Holy Peter remains ever free from all blemish of error, according to the Divine promise of our Lord and Saviour, made to the Prince of His disciples: "I have prayed for thee that thy faith fail not, and when thou art converted, strengthen thy brethren." (Cf. S. Agathon, epist. ad Imp. a Conc. Œcum. vi. approbata.)

This grace, then, of truth and unfailing faith, was conferred by Heaven upon Peter and his successors in this Chair, that they might perform their high office for the salvation of all; that the whole flock of Christ, kept away by them from the poisonous food of error, might be nourished with the pasture of heavenly doctrine; that the occasion of schism being removed, the whole Church might be kept one, and, resting on its foundation, might stand firm against the gates of hell.

But since in this very age, in which the salutary efficacy

of the Apostolic office is most of all required, not a few are found who take away from its authority, we deem it altogether necessary solemnly to assert the prerogative which the only-begotten Son of God has deigned to unite with the supreme pastoral office.

Therefore we, faithfully adhering to the tradition received from the beginning of the Christian faith, for the glory of God our Saviour, the exaltation of the Catholic religion, and the salvation of Christian people, the Sacred Council approving, we teach and define that it is a dogma divinely revealed; that the Roman Pontiff, when he speaks *ex cathedrâ*, that is, when discharging the office of Pastor and Doctor of all Christians, by virtue of his supreme Apostolic authority, he defines a doctrine regarding faith or morals to be held by the universal Church, by the Divine assistance promised to him in blessed Peter, the same is possessed of that infallibility with which the Divine Redeemer willed that His Church should be endowed for defining doctrine regarding faith or morals; and that, therefore, the definitions of the Roman Pontiff are of themselves irreformable, and not dependent upon the consent of the Church.

But if any one presume to contradict this our definition—which may God avert—let him be accursed.

Given at Rome in Public Session solemnly held in the Vatican Basilica, A.D. 1870, on the 18th day of July, in the twenty-fifth year of Our Pontificate.

THE END.

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THE VATICAN DECREES

IN THEIR BEARING ON

CIVIL ALLEGIANCE

BY

HENRY EDWARD Manning
ARCHBISHOP OF WESTMINSTER

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PREFACE.

A TASK both difficult and unlooked for has suddenly fallen to my lot; that is, to gain a fair hearing on subjects about which the opinions, and still more the feelings, of so many men are not only adverse, but even hostile. I must, therefore, ask for patience from those who may read these pages.

The topics here treated have not been chosen by me. They have been raised by Mr. GLADSTONE, and perhaps, in all the range of Religion and Politics, none can be found more delicate, more beset with misconceptions, or more prejudged by old traditionary beliefs and antipathies. Some of them, too, are of an

odious kind; others revive memories we would fain forget. And yet, if Mr. GLADSTONE's appeal to me is to be answered, treated they must be. My reply to the argument of the Expostulation on the Vatican Council will be found in the first, second, and fifth chapters; but as Mr. GLADSTONE has brought into his impeachment the present conflict in Germany, and has reviewed his own conduct in respect to the Revolution in Italy, I have felt myself obliged to follow him. This I have done in the third and fourth chapters. Apart from this reason, I felt myself bound to do so by the terms of the two letters printed at the opening of the following pages. I hold myself pledged to justify their contents. Moreover, these two topics fall within the outline of the subject treated by Mr. GLADSTONE, which is, the relation of the Supreme Spiritual Power of the Head of the Christian Church to the Civil Powers of all countries. So much for the matter of these pages.

As for the manner, if it be faulty, the fault is mine: and yet there ought to be no fault imputed where there has been no intention to wound or to offend. I can say with truth that, to avoid offence, I have weighed my words, and if there be one still found which ought not to have been written, I wish it to be blotted out. The subject-matter is beyond my control. I can blot out words, but I cannot blot out truths. What I believe to be truth, that I have said in the clearest and calmest words that I could find to give to it adequate expression.

January 25, 1875.

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THE VATICAN DECREES

IN THEIR BEARING ON

CIVIL ALLEGIANCE.

INTRODUCTION.

Mr. Gladstone, in his Expostulation with the Catholics of the British Empire on the Decrees of the Vatican Council, writes as follows :—

'England is entitled to ask and to know in what way the obedience required by the Pope and the Council of the Vatican is to be reconciled with the integrity of Civil Allegiance.'[1]

When I read these words, I at once recognised the right of the English people, speaking by its legitimate authorities, to know from me what I believe and what I teach; but in recognising this right I am compelled to decline to answer before any other tribunal, or to any other interrogator. If, therefore, I take the occasion of any such interrogation, I do not address

[1] *The Vatican Decrees in their Bearing on Civil Allegiance.* By the Right Hon. W. E. Gladstone, p. 43.

myself to those who make it, but to the justice and to the good sense of the Christian people of this country.

Mr. Gladstone followed up this demand upon his Catholic fellow-countrymen by an elaborate argument to prove that it is impossible for Catholics, since the Vatican Council, to be loyal except at the cost of their fidelity to the Council, or faithful to the Council except at the cost of their loyalty to their country. I therefore considered it to be my duty to lose no time in making the subjoined declaration in all our principal journals.

'Sir,—The gravity of the subject on which I address you, affecting, as it must, every Catholic in the British Empire, will, I hope, obtain from your courtesy the publication of this letter.

'This morning I received a copy of a pamphlet, entitled "The Vatican Decrees in their Bearing on Civil Allegiance." I find in it a direct appeal to myself, both for the office I hold and for the writings I have published. I gladly acknowledge the duty that lies upon me for both those reasons. I am bound by the office I bear not to suffer a day to pass without repelling from the Catholics of this country the lightest imputation upon their loyalty; and, for my teaching, I am ready to show that the principles I have ever taught are beyond impeachment upon that score.

'It is true, indeed, that in page 57 of the pamphlet Mr. Gladstone expresses his belief "that many of his Roman Catholic friends and fellow-countrymen are, to say the least of it, as good citizens as himself." But as the whole pamphlet is an elaborate argument to prove that the teaching of the Vatican Council renders it impossible

for them to be so, I cannot accept this grateful acknowledgment, which implies that they are good citizens because they are at variance with the Catholic Church.

'I should be wanting in duty to the Catholics of this country and to myself if I did not give a prompt contradiction to this statement, and if I did not with equal promptness affirm that the loyalty of our civil allegiance is, not in spite of the teaching of the Catholic Church, but because of it.

'The sum of the argument in the pamphlet just published to the world is this:—That by the Vatican Decrees such a change has been made in the relations of Catholics to the civil power of States, that it is no longer possible for them to render the same undivided civil allegiance as it was possible for Catholics to render before the promulgation of those Decrees.

'In answer to this it is for the present sufficient to affirm—

'1. That the Vatican Decrees have in no jot or tittle changed either the obligations or the conditions of civil allegiance.

'2. That the civil allegiance of Catholics is as undivided as that of all Christians, and of all men who recognise a Divine or natural moral law.

'3. That the civil allegiance of no man is unlimited; and therefore the civil allegiance of all men who believe in God, or are governed by conscience, is in that sense divided.

'4. In this sense, and in no other, can it be said with truth that the civil allegiance of Catholics is divided. The civil allegiance of every Christian man in England is limited by conscience and the law of God; and the civil allegiance of Catholics is limited neither less nor more.

'The public peace of the British Empire has been

consolidated in the last half century by the elimination of religious conflicts and inequalities from our laws. The Empire of Germany might have been equally peaceful and stable if its statesmen had not been tempted in an evil hour to rake up the old fires of religious disunion. The hand of one man, more than any other, threw this torch of discord into the German Empire. The history of Germany will record the name of Dr. Ignatius von Döllinger as the author of this national evil. I lament, not only to read the name, but to trace the arguments of Dr. von Döllinger in the pamphlet before me. May God preserve these kingdoms from the public and private calamities which are visibly impending over Germany. The author of the pamphlet, in his first line, assures us that his "purpose is not polemical but pacific." I am sorry that so good an intention should have so widely erred in the selection of the means.

'But my purpose is neither to criticise nor to controvert. My desire and my duty, as an Englishman, as a Catholic, and as a pastor, is to claim for my flock and for myself a civil allegiance as pure, as true, and as loyal as is rendered by the distinguished author of the pamphlet, or by any subject of the British Empire.

&c. &c.

'*November* 7, 1874.'

Subsequently, in reply to questions proposed to me, I further wrote as follows :—

To the Editor of *The New York Herald.*

'Dear Sir,—In answer to your question as to my statement about the Vatican Council, I reply as follows :

'I asserted that the Vatican Decrees have not changed by a jot or a tittle the obligations or conditions of the civil obedience of Catholics towards the Civil Powers. The

whole of Mr. Gladstone's pamphlet hangs on the contrary assertion; and falls with it. In proof of my assertion I add:—

'1. That the Infallibility of the Pope was a doctrine of Divine Faith before the Vatican Council was held. In the second and third parts of a book called "Petri Privilegium" (Longmans, 1871), I have given more than sufficient evidence of this assertion.

'2. That the Vatican Council simply declared an old truth, and made no new dogma.

'3. That the position of Catholics therefore in respect to civil allegiance, since the Vatican Council, is precisely what it was before it.

'4. That the Civil Powers of the Christian world have hitherto stood in peaceful relation with an Infallible Church, and that relation has been often recognised and declared by the Church in its Councils. The Vatican Council had, therefore, no new matter to treat in this point.

'5. That the Vatican Council has made no decree whatever on the subject of the Civil Powers, nor on civil allegiance.

'This subject was not so much as proposed. The civil obedience of Catholics rests upon the natural law, and the revealed law of God. Society is founded in nature, and subjects are bound in all things lawful to obey their rulers. Society, when Christian, has higher sanctions, and subjects are bound to obey rulers for conscience sake, and because the Powers that be are ordained of God. Of all these things the Vatican Decrees can have changed nothing because they have touched nothing. Mr. Gladstone's whole argument hangs upon an erroneous assertion, into which I can only suppose he has been misled by his misplaced trust in Dr. Döllinger and some of his friends.

'On public and private grounds I deeply lament this act of imprudence, and but for my belief in Mr. Gladstone's sincerity I should say this act of injustice. I lament it, as an act out of all harmony and proportion to a great statesman's life, and as the first event that has overcast a friendship of forty-five years. His whole public life has hitherto consolidated the Christian and civil peace of these kingdoms. This act, unless the good providence of God and the good sense of Englishmen avert it, may wreck more than the work of Mr. Gladstone's public career, and at the end of a long life may tarnish a great name.

&c. &c.

'*Westminster, Nov.* 10, 1874.'

Having thus directly contradicted the main error of Mr. Gladstone's argument, I thought it my duty to wait. I was certain that two things would follow: the one, that far better answers than any that I could make would be promptly made; the other, that certain nominal Catholics, who upon other occasions have done the same, would write letters to the newspapers.

Both events have come to pass.

The Bishops of Birmingham, Clifton, and Salford have abundantly pointed out the mistakes into which Mr. Gladstone has fallen on the subject of the Vatican Council; and have fully vindicated the loyalty of Catholics.

The handful of nominal Catholics have done their work; and those who hoped to find or to make a division among Catholics have been disappointed. It is now seen that those who reject the Vatican Council

may be told on our fingers, and the Catholic Church has openly passed sentence on them.

Having made these declarations, I might have remained silent; but as in my first letter I implied that I was prepared to justify what I had asserted, I gave notice that I would do so. Having passed my word, I will keep it; and in keeping it I will endeavour to deserve again the acknowledgment Mr. Gladstone has already made. He says that, whatever comes, so far as I am concerned, it will not be 'without due notice.' I will be equally outspoken now; not because he has challenged it, but because, so far as I know, I have always tried to speak out. In all these years of strife I have never consciously kept back, or explained away, any doctrine of the Catholic Church. I will not begin to do so now, when my time is nearly run. I am afraid that in these pages I shall seem to obtrude myself too often, and too much. If any think so, I would ask them to remember that Mr. Gladstone has laid me under this necessity in these three ways :—

1. He has made me the representative of the Catholic doctrine since 1870, as Bishop Doyle, he says, was in better days.
2. He has quoted my writings four times in censure.
3. He has appealed to me as 'Head of the Papal Church in England;' I may also add

as 'The Oracle.' My words, however, shall not be ambiguous.

The two letters given above contain four assertions.

First, that the Decrees of the Vatican Council have changed nothing in respect to the civil obedience of Catholics.

Secondly, that their civil obedience is neither more nor less divided than that of other men.

Thirdly, that the relations of the Spiritual and Civil Powers have been fixed from time immemorial, and are therefore after the Vatican Council what they were before.

Fourthly, that the contest now waging abroad began in a malevolent and mischievous intrigue to instigate the Civil Powers to oppress and persecute the Catholic Church.

The two first propositions shall be treated in the first chapter, the third in the second chapter, and the last in the third.

I will therefore endeavour to prove the following propositions, which cover all the assertions I have made:—

1. That the Vatican Decrees have in no jot or tittle changed either the obligations or the conditions of Civil Allegiance.
2. That the relations of the Catholic Church to the Civil Powers of the world have been immutably fixed from the beginning, inas-

much as they arise out of the Divine Constitution of the Church, and out of the Civil Society of the natural order.

3. That any collisions now existing have been brought on by changes, not on the part of the Catholic Church, much less of the Vatican Council, but on the part of the Civil Powers, and that by reason of a systematic conspiracy againt the Holy See.
4. That by these changes and collisions the Civil Powers of Europe are destroying their own stability.
5. That the motive of the Vatican Council in defining the Infallibility of the Roman Pontiff was not any temporal policy, nor was it for any temporal end; but that it defined that truth in the face of all temporal dangers, in order to guard the Divine deposit of Christianity, and to vindicate the divine certainty of faith.

CHAPTER I.

MEANING AND EFFECT OF THE VATICAN DECREES.

I. In setting out to prove my first proposition—namely, 'that the Vatican Decrees have in no jot or tittle changed either the obligations or the conditions of Civil Allegiance'—I find myself undertaking to prove a negative. The *onus* of proving that the Vatican Decrees have made a change in our civil allegiance rests upon those who affirm it. Till they offer proof we might remain silent. It would be enough for us to answer that the Vatican Council in its Dogmatic Constitution on the Church has simply affirmed the revealed doctrine of the Spiritual Primacy, and of the Infallibility of the Visible Head of the Christian Church; that the relations of this Primacy to the Civil Powers are in no way treated; and that the civil obedience of subjects is left precisely as and where it was before the Vatican Council was convened.

(1) However, I will first examine what proofs have been offered to show that the Vatican Council has made the alleged change; and I will then give positive evidence to show what the Vatican Council has done. From these things it will be seen that it has neither changed, nor added to, nor taken away anything from the doctrine and discipline of the Church, but has

only defined what has been believed and practised from the beginning.

The arguments to prove a change are two.

First. Mr. Gladstone has argued from the third chapter of the Constitution on the Roman Pontiff, that his powers have received a great extension. Mr. Gladstone, so far as I am aware, is the first and only person who has ever ventured on this statement.

His argument is as follows:—

He dwells with no little amplification upon the 'introduction of the remarkable phrase,' 'ad disciplinam et regimen Ecclesiæ,' into the third chapter; that is, 'non solum in rebus quæ ad fidem et mores pertinent, sed etiam in iis quæ ad disciplinam et regimen Ecclesiæ per totum orbem diffusæ pertinent.' He says, 'Absolute obedience, it is boldly declared, is due to the Pope, at the peril of salvation, not only in faith and in morals, but in all things which concern the discipline and government of the Church' (p. 41). Submission in faith and morals is 'abject' enough, but 'in discipline and government' too is intolerable. 'Why did the astute contrivers of this tangled scheme,' &c. . . . (p. 39). 'The work is now truly complete' (p. 40). This he calls 'the new version of the principles of the Papal Church.' When I read this, I asked, 'Is it possible that Mr. Gladstone should think this to be anything new? What does he conceive the Primacy of Rome to mean? With what eyes has he read history?

Can he have read the tradition of the Catholic Church?' As one of 'the astute contrivers,' I will answer that these words were introduced because the Pontiffs and Councils of the Church have always so used them. They may be 'remarkable' and 'new' to Mr. Gladstone, but they are old as the Catholic Church. I give the first proofs which come to hand.

Nicholas I., in the year 863, in a Council at Rome, enacted: 'Si quis dogmata, mandata, interdicta, sanctiones vel decreta pro Catholica fide, pro ecclesiastica disciplina, pro correctione fidelium, pro emendatione sceleratorum, vel interdictione imminentium vel futurorum malorum, a Sedis Apostolicæ Præside salubriter promulgata contempserit: Anathema sit.'[1] This was an 'iron gripe' not less 'formidable' than the third chapter of the Vatican Constitution.

It may be said, perhaps, that this was only a Pontiff in his own cause; or only a Roman Council.

But this Canon was recognised in the Eighth General Council held at Constantinople in 869.[2]

Innocent III. may be no authority with Mr. Gladstone; but he says, what every Pontiff before him and after him has said, 'Nos qui sumus ad *regimen* Universalis Ecclesiæ, superna dispositione vocati.'[3]

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[1] Labbe, *Concil.* tom. x. p. 238, ed. Ven. 1730.

[2] *Ibid.* tom. x. p. 633. See *Petri Privilegium*, 2nd part, p. 81.

[3] Corpus Juris Canon. *Decret. Greg.* lib. ii. cap. xiii. Novit.

Again, Sixtus IV., in 1471, writes: 'Ad Universalis Ecclesiæ *regimen* divina disponente clementia vocatis,'[1] &c.

If this be not enough, we have the Council of Florence, in 1442, defining of the Roman Pontiff that 'Ipsi in Beato Petro pascendi, *regendi* ac *gubernandi* Universalem Ecclesiam a Domino nostro Jesu Christo plenam potestatem traditam esse.'[2]

Finally the Council of Trent says:—'Unde merito Pontifices Maximi pro Suprema potestate sibi in Ecclesia universa tradita,'[3] &c.

I refrain from quoting Canonists and Theologians who use this language as to regimen and discipline. It needed no astuteness to transcribe the well-known traditional language of the Catholic Church. It is as universal in our law books as the forms of the Courts at Westminster. The Vatican Council has left the authority of the Pontiff precisely where it found it. The whole, therefore, of Mr. Gladstone's argument falls with the misapprehension on which it was based.

What, then, is there new in the Vatican Council? What is to be thought of the rhetorical description of 'Merovingian monarchs and Carlovingian mayors,' but that the distinguished author is out of his depth? The Pope had at all times the power to rule the whole Church not only in faith and morals, but also in all

[1] Corpus Juris Canon. *Extrav. Comm.* lib. i. tit. ix. cap. i.
[2] Labbe, *Concil.* tom. xviii. p. 527, ed. Ven. 1732.
[3] Sess. xiv. cap. vii.

things which pertain to discipline and government, and that whether infallibly or not.

Such is literally the only attempt made by Mr. Gladstone to justify his assertions. But what has this to do with Civil Allegiance? There is not a syllable on the subject, there is not a proposition which can be twisted or tortured into such a meaning. The government of the Church, as here spoken of, is purely and strictly the Spiritual government of souls, both pastors and people, as it was exercised in the first three hundred years before any Christian State existed.

But next, if the Vatican Council has not spoken of the Civil Powers, nevertheless it has defined that the Pope, speaking *ex cathedra*, is infallible: this definition, by retrospective action, makes all Pontifical acts infallible, the Bull *Unam Sanctam* included; and, by prospective action, will make all similar acts in future binding upon the conscience.

Certainly this is true. But what is there new in this? The Vatican Council did not make the Pope infallible. Was he not infallible before the Council? He is, therefore, not more infallible after it than before. If a handful of writers, here and there, denied his infallibility, the whole Church affirmed it. Proof of this shall be given in its place. For the present, I affirm that all acts *ex cathedra*, such as the Bull *Unam Sanctam*, the Bull *Unigenitus*, the Bull *Auctorem Fidei*, and the like, were held to be infallible as fully before the Vatican Council as now.

To this it will be said, 'Be it so; but nobody was bound under Anathema to believe them.' I answer that it is not the Anathema that generates faith. The infallibility of the Head of the Church was a doctrine of Divine Faith before it was defined in 1870, and to deny it was held by grave authorities to be at least proximate to heresy, if not actually heretical.[1] The Vatican Council has put this beyond question; but it was never lawful to Catholics to deny the infallibility of a Pontifical act *ex cathedra*. It is from simple want of knowledge that men suppose every doctrine not defined to be an open question. The doctrine of the Infallibility of the Church has never been defined to this day. Will any man pretend that this is an open question among Catholics? The infallibility of the Pope was likewise never defined, but it was never an open question. Even the Jansenists did not venture to deny it, and the evasion of some of them, who gave 'obsequious silence' instead of internal assent to Pontifical acts, was condemned by Clement XI. The definition of the Vatican Council has made no change whatsoever except in the case of those who denied or doubted of this doctrine. No difference, therefore, whatsoever has been made in the state of those who believed it. If the integrity of their civil allegiance was unimpeded before 1870, it is unimpeded now. But Mr. Gladstone admits that it

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[1] *Petri Privilegium*, part i. pp. 61–66, and notes.

was unimpeded before. His contention is that it is impeded now. But this is self-contradictory, for they believed the same doctrine of infallibility both then and now. If Mr. Gladstone means that the Vatican Council has made a difference for the few who denied the doctrine, and for the authors of *Janus* and *Quirinus*, and the professors of 'obsequious silence,' his contention is most true. But then he must change his whole position. The title of his pamphlet must be amended and stand, 'The Vatican Decrees in their Bearing on the Civil Allegiance of those who before 1870 denied the Infallibility of the Pope.' But this would ruin his case; for he would have admitted the loyalty of Catholics who always believed it before the definition was made.

We are next told that there are some twelve theories of what is an act *ex cathedra*. We have been also told that there are twenty. But how is it that Mr. Gladstone did not see that by this the whole force of his argument is shaken? If the definition has left it so uncertain what acts are, and what acts are not, *ex cathedra*, who shall hold himself bound to obedience? Are the eighty condemnations indicated in the Syllabus *ex cathedra*? By this showing it is 12 to 1 that they may not be. It is an axiom in morals '*Lex dubia non obligat.*' But if it be doubtful whether the Syllabus is *ex cathedra*, I am not bound to receive it with interior assent. Again, Mr. Gladstone thinks to aggravate the case by adding that

the Pope is to be the ultimate judge of what acts are *ex cathedra*. And who else should be? *Ejus est interpretari cujus est condere* is a principle of all law. Mr. Gladstone has been acting upon it all his life. But, perhaps it may be said, why did not the Council put beyond doubt what acts are *ex cathedra*? Well, the Council has done so, as I hope to show; and has done it with as great precision as the subject matter will admit. It has given five tests, or conditions, by which an act *ex cathedra* may be distinguished.

But it may be said that doubts may still exist, and that doubts may still be raised as to this or that Pontifical act whether it be *ex cathedra* or not. Surely common sense would say, consult the authority which made the law; the legislator is always at hand, always ready to explain his own meaning, and to define the limits of his intention. If there be any thing unreasonable in this, all jurisprudence, including the British Constitution, labours under the same uncertainty, or rather the same inevitable imperfection.

I am surprised that Mr. Gladstone should have quoted the second paragraph of the chapter in the Vatican Constitution; and that he should have passed over the fourth paragraph, in which there are indeed the words 'potestatis sæcularis placito.' This is the only recognition of secular powers in the whole Constitution. In that paragraph two things are affirmed:

the one that the free exercise of the supreme Spiritual power of the Head of the Christian Church may neither be intercepted, nor hindered, nor excluded from any part of the Church by any human authority; and, secondly, that all such acts of his Spiritual power are valid and complete in themselves, and need, for that end, no confirmation or *placitum* of any other authority. This independence is claimed for Christianity by every one who believes in a revelation. Here is indeed a reference to Civil Powers; but, lest the Vatican Council should be held guilty of such innovations, I will add that such was the contention of St. Thomas of Canterbury against Henry II. in the case of the Constitutions of Clarendon, which were not 'cursed,' as Mr. Gladstone delicately expresses it, but condemned by Alexander III. in the year 1164. This, then, has not changed the Civil Allegiance of Catholics since 1870.

But I am not undertaking to prove a negative. I hope that I have shown that the evidence offered to prove that the Council has made the alleged change is *nil*. I affirm, then, once more that the Vatican Council has not touched the question of Civil Allegiance, that it has not by a jot or a tittle changed the relations in which the Church has ever stood to the Civil Powers; and that, therefore, the Civil Allegiance of Catholics is as full, perfect, and complete since the Council as it was before. These are affirma-

tions capable of proof, and before I have done I hope to prove them. For the present it will be enough to give the reason why the Vatican Council did not touch the question of the relations of the Church to the Civil Powers. The reason is simple. *It intended not to touch them*, until it could treat them fully and as a whole. And it has carefully adhered to its intention. I will also give the reason why it has been so confidently asserted that the Council did touch the Civil Powers. It is because certain persons, a year before the Council met, resolved to say so. They wrote the book *Janus* to prove it; they published circulars and pamphlets before and during the Council to re-assert it. They first prophesied that the Council would interfere with the Civil Powers, and now they write scientific history to prove that it has done so. I am not writing at random; I carefully collected at the time their books, pamphlets, and articles. I read them punctually, and bound them up into volumes, which are now before me. Mr. Gladstone has reproduced their arguments. But for this systematic agitation before the Council, no one, I am convinced, would have found a shadow of cause for it in its Decrees. Now, that I may not seem to write this as prompted by the events of the present moment, I will repeat what I published in the year 1869, before the Council assembled, and in the year 1870, after the Council was suspended.

Before the Council met I published these words :[1]—

'Whilst I was writing these lines a document has appeared purporting to be the answers of the Theological Faculty of Munich to the questions of the Bavarian Government.

'The questions and the answers are so evidently concerted, if not written by the same hand, and the *animus* of the document so evidently hostile to the Holy See, and so visibly intended to create embarrassments for the supreme authority of the Church, both in respect to its past acts and also in respect to the future action of the Œcumenical Council, that I cannot pass it over. But, in speaking of it, I am compelled, for the first time, to break silence on a danger which has for some years been growing in its proportions, and, I fear I must add, in its attitude of menace. The answers of the University of Munich are visibly intended to excite fear and alarm in the Civil Powers of Europe, and thereby to obstruct the action of the Œcumenical Council if it should judge it to be opportune to define the Infallibility of the Pope. The answers are also intended to create an impression that the theological proofs of the doctrine are inadequate, and its definition beset with uncertainty and obscurity. In a word, the whole correspondence is a transparent effort to obstruct the freedom of the Œcumenical Council on the subject of the Infallibility of the Pontiff; or, if that doctrine be defined, to instigate the Civil Governments to assume a hostile attitude towards the Holy See. And this comes in the name of liberty, and from those who tell us that the Council will not be free.

'I shall take the liberty, without further words, of

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[1] 'The Œcumenical Council and the Infallibility of the Roman Pontiff,' *Petri Privilegium*, part ii. pp. 131–5. (Longmans, 1871.)

dismissing the Bavarian Government from our thoughts. But I must declare, with much regret, that this Munich document appears to me to be seditious.

'Facts like these give a certain warrant to the assertion and prophecies of politicians and Protestants. They prove that in the Catholic Church there is a school at variance with the doctrinal teaching of the Holy See in matters which are not of faith. But they do not reveal how small that school is. Its centre would seem to be at Munich. It has, both in France and England, a small number of adherents. They are active, they correspond, and for the most part write anonymously. It would be difficult to describe its tenets, for none of its followers seem to be agreed in all points. Some hold the Infallibility of the Pope, and some defend the Temporal Power. Nothing appears to be common to all, except an *animus* of opposition to the acts of the Holy See in matters outside the faith.

'In this country, about a year ago, an attempt was made to render impossible, as it was confidently but vainly thought, the definition of the Infallibility of the Pontiff by reviving the monotonous controversy about Pope Honorius. Later, we were told of I know not what combination of exalted personages in France for the same end. It is certain that these symptoms are not sporadic and disconnected, but in mutual understanding and with a common purpose. The anti-Catholic press has eagerly encouraged this school of thought. If a Catholic can be found out of tune with authority by half a note, he is at once extolled for unequalled learning and irrefragable logic. The anti-Catholic journals are at his service, and he vents his opposition to the common opinions of the Church by writing against them anonymously. Sad as this is, it is not formidable. It has effect almost alone upon those who are not Catholic. Upon Catholics its effect is hardly appreciable; on the Theological Schools of the Church it

will have little influence; upon the Œcumenical Council it can have none.

'I can hardly persuade myself to believe that the University of Munich does not know that the relations between the Pope, even supposed to be infallible, and the Civil Powers have been long since precisely defined in the same acts which defined the relations between the Church, known to be infallible, and the Civil Authority. Twelve Synods or Councils, two of them Œcumenical, have long ago laid down these relations of the Spiritual and Civil Powers.[1] If the Pope were declared to be infallible to-morrow, it would in no way affect those relations.

'We may be sure . . . that this intellectual disaffection, of which, in these last days, we have had in France a new and mournful example, will have no influence upon either the Œcumenical Council or the policy of the Great Powers of Europe. They will not meddle with speculations of theological or historical critics. They know too well that they cannot do in the nineteenth century what was done in the sixteenth and the seventeenth.

'The attempt to put a pressure upon the General Council, if it have any effect upon those who are subject to certain governments, would have no effect but to rouse a just indignation in the Episcopate of the Church throughout the world. They hold their jurisdiction from a higher fountain, and they recognise no superior in their office of Judges of Doctrine, save only the Vicar of Jesus Christ. This preliminary meddling has already awakened a sense of profound responsibility and an inflexible resolution to allow no pressure or influence, or menace or intrigue, to cast so much as a shadow across their fidelity to the Divine Head of the Church and to His Vicar upon earth.

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[1] Bellarm. *Opuscula adv. Barclaium*, p. 845, ed. Col. 1617.

'Moreover, we live in days when the "Regium Placitum" and "Exequaturs" and "Arrêts" of Parliament in Spiritual things are simply dead. It may have been possible to hinder the promulgation of the Council of Trent; it is impossible to hinder the promulgation of the Council of the Vatican. The very liberty of which men are proud will publish it. Ten thousand presses in all lands will promulgate every act of the Church and of the Pontiff, in the face of all Civil Powers. Once published, these acts enter the domain of faith and conscience, and no human legislation, no civil authority, can efface them. The two hundred millions of Catholics will know the Decrees of the Vatican Council; and to know them is to obey. The Council will ask no civil enforcement, and it will need no civil aid. The Great Powers of Europe have long declared that the conscience of men is free from civil constraint. They will not stultify their own declarations by attempting to restrain the acts of the Vatican Council. The guardians and defenders of the principles of 1789 ought to rise as one man against all who should so violate the base of the political society in France. What attitude lesser Governments may take is of lesser moment.'

(2) I will now state positively what the Council has defined on the subject of the Roman Pontiff. The history then of the Definition of the Infallibility is as follows:—

1. Two *Schemata*, as they were called, or treatises, had been prepared: the one on the nature of the Church; the other on its relations to the Civil State.

The first alone came before the Council; the second has never yet been so much as discussed.

In the schema on the nature of the Church, its Infallibility was treated ; but the Infallibility of its Head was not so much as mentioned. His Primacy and authority alone were treated. In the end, the chapter relating to the Primacy and authority was taken out, and subdivided into four. The subject of the Infallibility of the Roman Pontiff was then introduced.

The reasons for this change of order were given in 1870, as follows :—

In all theological treatises, excepting indeed one or two of great authority, it had been usual to treat of the Body of the Church before treating of its Head. The reason of this would appear to be that in the exposition of doctrine the logical order was the more obvious ; and to the faithful, in the first formation of the Church, the Body of the Church was known before its Head. We might have expected that the Council would have followed the same method. It is, therefore, all the more remarkable that the Council inverted that order, and defined the prerogative of the Head before it treated of the constitution and endowments of the Body. And this, which was brought about by the pressure of special events, is not without significance. The schools of the Church have followed the logical order ; but the Church in Council, when for the first time it began to treat of its own constitution and authority, changed the method, and, like the Divine Architect of the Church, began in the historical order, with the foundation and Head of the Church. Our

Divine Lord first chose Cephas, and invested him with the primacy over the Apostles. Upon this rock all were built, and from him the whole unity and authority of the Church took its rise. To Peter alone first was given the plenitude of jurisdiction and of infallible authority. Afterwards, the gift of the Holy Ghost was shared with him by all the Apostles. From him and through him therefore all began. For which cause a clear and precise conception of his Primacy and privilege is necessary to a clear and precise conception of the Church. Unless it be first distinctly apprehended, the doctrine of the Church will be always proportionately obscure. The doctrine of the Church does not determine the doctrine of the Primacy, but the doctrine of the Primacy does precisely determine the doctrine of the Church. In beginning, therefore, with the Head, the Council has followed our Lord's example, both in teaching and in fact; and in this will be found one of the causes of the singular and luminous precision with which the Council of the Vatican has, in one brief Constitution, excluded the well-known errors on the Primacy and Infallibility of the Roman Pontiff.

The reasons which prevailed to bring about this change of method were not only those which demonstrated generally the opportuneness of defining the doctrine, but those also which showed specially the necessity of bringing on the question while as yet the Council was in the fulness of its numbers.

It was obvious that the length of time consumed in the discussion, reformation, and voting of the *Schemata* was such that, unless the Constitution *De Romano Pontifice* were brought on immediately after Easter, it could not be finished before the setting in of summer should compel the bishops to disperse. Once dispersed, it was obvious they could never again reassemble in so large a number. Many who with great earnestness desired to share the blessing and the grace of extinguishing the most dangerous error which for two centuries had disturbed and harassed the faithful, would have been compelled to go back to their distant sees and missions, never to return. It was obviously of the first moment that such a question should be discussed and decided, not, as we should have been told, in holes and corners, or by a handful of bishops, or by a faction, or by a clique, but by the largest possible assembly of the Catholic Episcopate. All other questions, on which little divergence of opinion existed, might well be left to a smaller number of bishops; but a doctrine which for so long had vexed both pastors and people, the defining, not the truth, of which was contested by a numerous and organised opposition, needed to be treated and affirmed by the most extensive deliberation of the bishops of the Catholic Church. Add to this the many perils which hung over the continuance of the Council, of which I need but give one example. The outbreak of a war might have rendered the definition impossible. And

in fact the Infallibility of the Roman Pontiff was defined on the eighteenth of July, and war was officially declared on the following day.

With these and many other contingencies fully before them, those who believed that the definition was, not only opportune, but necessary for the unity of the Church and of the Faith, urged its immediate discussion. Events justified their foresight. The debate was prolonged into the heats of July, when, by mutual consent, the opposing sides withdrew from a further prolonging of the contest, and closed the discussion. If it had not been already protracted beyond all limits of reasonable debate—for not less than a hundred fathers in the general and special discussions had spoken chiefly, if not alone, of Infallibility—it could not so have ended. Both sides were convinced that the matter was exhausted.[1]

2. In order to demonstrate, if possible, more abundantly that the Vatican Council has not so much as touched the relations of the Church to the Civil Power, I will give a brief analysis of its Definitions in what is called the First Dogmatic Constitution on the Church of Christ.

It is, as I have said, a portion of the Schema or treatise on the Church, taken out and enlarged into a Constitution by itself. There would have been only one Constitution treating of both the Body and the

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[1] *Petri Privilegium*, part iii. pp. 51–54.

Head of the Church. Now there are two. The first, treating of the Head, has been completed; the second, treating of the Body, yet remains.

Now of the First Constitution there are four chapters.

The first treats of the Institution of the Apostolic Primacy in Saint Peter. The sum of it is that Our Lord appointed Peter to be Head of the whole Church, and gave him immediately a Primacy, not of honour only, but of jurisdiction. There is here not a word of anything but the Pastoral or Spiritual power.

The second declares the Primacy to be perpetual. It affirms two things: the one that Peter has a perpetual line of successors, and that the Roman Pontiff is the successor of Peter in that Primacy.

The third affirms the jurisdiction of the Roman Pontiff to be full and supreme in all things of faith and morals, and also in discipline and government of the Church; and that this jurisdiction is ordinary and immediate over all Churches and persons.

The fourth chapter treats of the Infallibility of the *Magisterium*, or the teaching authority of the Roman Pontiff. This chapter affirms that a Divine assistance was given to Peter, and in Peter to his successors for the discharge of their supreme office. It affirms also that this is a tradition received from the beginning of the Christian Faith. They, therefore, who tell us that the Vatican Council has brought in a new doctrine show that they do not know what the

Vatican Council has said, and what it is that they must refute before their charge of innovation can be listened to.

Now it is to be observed:

1. That the Council declares that the Roman Pontiff, speaking *ex cathedra*, has a Divine assistance which preserves him from error.
2. That he speaks *ex cathedra* when he speaks under these five conditions: (1) as Supreme Teacher (2) to the whole Church. (3) Defining a doctrine (4) to be held by the whole Church (5) in faith and morals.

If disputants and controversialists had read and mastered these five conditions, we should have been spared much senseless clamour.

3. Lastly, it is to be observed that the Council has not defined the limit of the phrase 'faith and morals.' This well-known formula is plain and intelligible. The deposit committed to the Church is the Revelation of Divine Truth, and of the Divine Law. The Church is the guardian and witness, the interpreter and the expositor, of the Truth and of the Law of God. Such is the meaning of 'faith and morals.' It is a formula well known, perfectly clear, sufficiently precise for our spiritual and moral life. If questions may be raised about the limits of faith and morals, it is because questions may be raised about anything; and questions will always be raised by those who love contention against the Catholic Church more than

they love either faith or morals. All argument against the Vatican Council as to the limits or extent of this formula is so much labour lost. It has not so much as touched the extent or the limits.

Such, then, is the whole of the first Constitution *De Ecclesia Christi*. It does not contain a syllable of the relation of this Primacy to the Civil or Political State, except to say that no human authority is needed for the validity of its acts, nor may any human power hinder their exercise. But these are truths as old as the day when St. Peter said before the council in Jerusalem, 'If it be just, in the sight of God, to hear you rather than God, judge ye.'[1] I hope, then, I have justified my assertion that the Vatican Council has not changed by a jot or a tittle the civil allegiance of Catholics. It is as free and perfect now as it was before.

As I have affirmed that the doctrine of the Infallibility of the Head of the Church was a doctrine of Divine Faith before the Council, and that the denial of it was confined to a small school of writers, I might be expected here to offer the historical proof of this assertion.

But I have already done so in the year 1869, before the Council assembled. I would therefore refer to the second part of 'Petri Privilegium'[2] for, as I believe, a sufficient proof. I will, however, in few words give the outline of what was then said.

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[1] Acts iv. 19.

[2] Part ii. pp. 63–107.

It is acknowledged by the adversaries of the doctrine that from the Council of Constance in 1414 to this day the doctrine has been the predominant belief of the Church. I gave evidence of its existence from the Council of Constance upwards to the Council of Chalcedon in 445.

Next I traced the history of the growth of the opinions adverse to the Infallibility of the Roman Pontiff from the Council of Constance to the year 1682, when it was, for the first time, reduced to formula by an assembly of French ecclesiastics under the influence of Louis XIV.

Lastly, I showed how this formula was no sooner published than it was condemned in every Catholic country by bishops and universities, and by the Holy See. The sum of the evidence for the first period was then given as follows :—

Gallicanism is no more than a transient and modern opinion, which arose in France, without warrant or antecedents in the ancient theological schools of the French Church ; a royal theology, as suddenly developed and as parenthetical as the Thirty-nine Articles, affirmed only by a small number out of the numerous Episcopate of France, indignantly rejected by many of them ; condemned in succession by three Pontiffs; declared by the Universities of Louvain and Douai to be erroneous ; retracted by the bishops of France; condemned by Spain, Hungary, and other countries; and condemned over again in the Bull *Auctorem Fidei*.

From this evidence it is certain :—

1. That Gallicanism has no warrant in the doctrinal practice or tradition of the Church, either in France or at large, in the thousand years preceding the Council of Constance.
2. That the first traces of Gallicanism are to be found about the time of that Council.
3. That after the Council of Constance they were rapidly and almost altogether effaced from the theology of the Church in France, until their revival in 1682.
4. That the Articles of 1682 were conceived by Jansenists, and carried through by political and oppressive means contrary to the sense of the Church in France.
5. That the theological faculties of the Sorbonne, and of France generally, nobly resisted and refused to teach them.[1]

But Gallicanism was the only formal interruption of the universal belief of the Church in the Infallibility of its Head. The Vatican Council extinguished this modern error.

II. Having thus far offered proof of the first proposition in my first letter, I will now go on to the second.

I there affirmed that the Civil Allegiance of Catholics is as undivided as that of all Christians, and of all men who recognise a divine or natural moral law.

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[1] *Petri Privilegium*, part ii. p. 56.

Mr. Gladstone requires of us 'solid and undivided allegiance.'[1]

I must confess to some surprise at this demand. The allegiance of every moral being is 'divided,' that is, twofold; not, indeed, in the same matter nor on the same plane, but in two spheres, and on a higher and a lower level, so that no collision is possible, except by some deviation or excess. Every moral being is under two authorities—human and divine. The child is under the authority of parents, and the authority of God; the subject is under the authority of the Civil State, and the Divine authority of natural or revealed religion. Unless we claim Infallibility for the State, its acts must be liable to revision, and to resistance by natural conscience. An unlimited obedience to parents or to States would generate a race of unlimited monsters. Surely these are truisms. Our Lord Himself taught this division when He said, 'Render therefore to Cæsar the things that are Cæsar's, and to God the things that are God's.' But this all men admit when they think. Unfortunately, when they attack the Catholic Church or the Vatican Council they seldom think much.

Put the objection in this form: 'We non-Catholics acknowledge two authorities as you Catholics do. Our allegiance to the civil law is revised and checked by our consciences, guided by the light of

[1] P. 44.

nature and by the light of revelation. We refuse to receive religious doctrine or discipline from the State. We allow the Society of Friends, for conscience sake, to refuse to take an oath of allegiance, and even to fight for their country, for conscience sake; and yet these two are among the natural duties of subjects which the civil authority may most justly both require and enforce. We therefore leave every man free to refuse obedience to civil laws if his conscience so demands of him. But you Catholics put your conscience into the hands of the Pope. You are bound to follow his interpretation of the civil law; and he tells you when your conscience ought to refuse obedience whether you see it or not; worse than this, the Pope may wrongly interpret our civil laws, or he may even so interpret them as to serve his own interests; and then your moral and mental freedom is at the mercy of another. You must choose between your religion and your country.' I think I have not understated the argument of our adversaries.

To this the answer is twofold. First, that the non-Catholic doctrine is more dangerous to the Civil State than the Catholic. If any individual conscience may dispense itself from civil obedience, then almost all men will obey only 'for wrath' and not for 'conscience sake.'[1] And such, in fact, is the condition of millions of men. I could wish that the mental state of the

[1] Rom. xiii. 5.

masses were better known. I wish it were possible to ascertain, by letting down a thermometer into the deep sea of our population, what notions remain of loyalty or allegiance. No doubt, in an insular population like ours, the traditional custom of inert conformity with law maintains a passive compliance which passes for Civil Allegiance. But take the population of countries where the so-called rights of the political conscience of individuals have had their legitimate development. A law is a law so far as it is accepted; a man is bound by the law so far as he had a hand in making it. If you once admit that the ultimate decision as to civil obedience is in the individual, each political conscience is a law-giver and a law to itself. You cannot fly principles with a string as boys fly kites. Once enunciated they have nothing to control them. If every man has the ultimate right of refusing obedience to the law upon the dictates of his own conscience, then we are in a state of unlimited license, which is potentially a state of unlimited revolution. And such, in truth, since 1789 has been the state of the west of Europe. It is in a state of chronic instability and continuous change. More than forty revolutions have sprung from this essential lawlessness.

Secondly, according to the doctrine of the Catholic Church, the rights of individual conscience are secured not only against external coercion, but against its own aberrations. The obedience of Catholic subjects to their Civil Rulers is a positive precept of

religion. The rising against legitimate authority is forbidden as the sin of rebellion. The Syllabus has condemned the propositions:—

> 'Authority is nothing else but the result of numerical superiority and material force.'—Prop. 60.
>
> 'It is allowable to refuse obedience to legitimate Princes, and also to rebel against them.'—Prop. 63.

The political conscience of Catholics is not left to the individual judgment alone. It is guided by the whole Christian morality, by the greatest system of ethical legislation the world has ever seen, the Canon Law and the Moral Theology of the Catholic Church. Not only all capricious and wilful resistances of the Civil Law, but all unreasonable and contentious disobedience is condemned by its authority. It is a doctrine of faith that legitimate sovereignty exists not only in the unity of the Church, but outside of the same; and not only among Christian nations, but also among the nations that are not Christian.[1] Moreover, that to all such legitimate sovereigns subjects are bound by the Divine Law[2] to render obedience in all lawful things. It is certain, therefore, that Catholics are bound to Civil Allegiance by every bond, natural and supernatural, as absolutely as their non-Catholic fellow-countrymen; and, I must add, more explicitly.

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[1] Rom. xiii. 1–4. [2] St. Peter ii. 13–15.

And further, that they can hardly be reduced to the necessity of using their private judgment as to the lawfulness of obeying any law. In all matters of ordinary civil and political life, the duty of Catholics is already defined by a whole code which enforces obedience for conscience sake. In the rare case of doubt which may arise in times of religious persecution, political revolution, civil wars, or wars of succession, Catholic and non-Catholic subjects are alike in this,—they are both compelled to choose their side. But the non-Catholic subject has hardly law or judge to aid his conscience: the Catholic has both. He has the whole traditional moral law of Christendom, which has formed and perpetuated the civil and political order of the modern world, and he has a multitude of principles, maxims, and precedents on which to form his own judgment. Finally, if he be unable so to do, he can seek for guidance from an authority which the whole Christian world once believed to be the highest judicial tribunal and the source of its civil order and stability. And is this to place 'his mental and moral freedom at the mercy of another?' As much as, and no more than, we place ourselves 'at the mercy' of the Christian Church for our salvation. Let us take an example. It is certain, by the natural and Divine Law, that every man may defend himself, and that every people has the right of self-defence. On this all defensive wars are justifiable. But if the Sovereign levy war upon his people, have they the

right of self-defence? Beyond all doubt. But at what point may they take up arms? and what amount of oppression justifies recourse to resistance? For the non-Catholic there can only be these answers. 'He must go by the light of his own conscience, or he must be guided by the judgment of the greater number, or by the wiser heads of his nation.' But the greater number may not be the wiser; and to judge who are the wiser throws the judgment once more upon himself. The Catholic subject would use his own judgment, and the judgment of his countrymen, but he would not hold himself at liberty to take up arms unless the Christian law confirmed the justice of his judgment. But from whom is this judgment to be sought? He would ask it of all those of whom he asks counsel in the salvation of his soul. If this is to be at the mercy of another, we are all at the mercy of those whom we believe to be wiser than ourselves.

Let us take an example. The Italian people have been for twenty years spectators of a revolution which has overthrown the Sovereigns of Naples and Tuscany. I will ask two questions. First, would any Italian place himself at the mercy of another, if he should ask of the head of his religion what course as a Christian he ought to pursue?

And, secondly, what has been the action of the Pope in respect to the Italian revolution? He has said that to co-operate in the Italian revolution is not

lawful. Surely, if Italians are free to form their conscience on the doctrines of the revolution, they are equally free to form their conscience on the doctrines of their religion. To deny this is to have two weights and two measures. The non-Catholic theory tells us that the conscience of subjects is the ultimate test. Be it so; my conscience tells me that it is right to obey my religion rather than the revolution. If this be a divided allegiance, then it is Christianity which has introduced it, and not the Church. It was our Lord Himself who, by instituting His Church, separated for ever the two powers, Civil and Spiritual, thereby redeeming the conscience and the religion of men from the dominion of princes, and conferring upon the Civil Power the consecration by which it is confirmed, and the higher law by which its sphere is defined. It is all this, and not[1] 'our old friend the deposing power alone,' which I have described as teaching obedience to subjects and moderation to princes.[2] In all conflicts between the Civil and Spiritual, the consciences of Christians will be decided by the Christian law.

I conclude, therefore, this part of the subject by reasserting:—

1. That the relations of the Church to the State

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[1] *Expostulation*, p. 52.

[2] *Temporal Power of the Pope*, pp. 44–46, second ed. 1862.

were never so much as proposed for discussion in the Vatican Council.

2. That in its Constitutions or Definitions it has in no way touched the subject.

3. That the Definitions of the Council are 'declaratory' of doctrine already of Divine Faith, and that no new 'enactment' whatsoever was made.

4. That the relations of the Church to the Civil Power were left by the Vatican Council as they were known and declared by the Council of Trent and all previous Councils.

I will therefore answer Mr. Gladstone's questions in page 44 of his 'Expostulation.' He tells us that 'what is not wanted is vague and general assertion of whatever kind, and howsoever sincere. What is wanted, and that in the most specific form and in the clearest terms, I take to be one of two things, that is to say, either—

'1. A demonstration that neither in the name of faith, nor in the name of morals, nor in the name of the government or discipline of the Church, is the Pope of Rome able, by virtue of the powers asserted for him by the Vatican decree, to make any claim upon those who adhere to his communion of such a nature as can impair the integrity of their Civil allegiance; or else,

'2. That if, and when such claim is made, it will even, although resting on the definitions of the Vatican, be repelled and rejected.'[1]

I have shown that the Pope is not able, by the Vatican Council, to make any claim in the name of faith, nor in the name of morals, nor in the name of the government or discipline of the Church, which he was not able to make before the Vatican Council existed.

To Mr. Gladstone's first question, therefore, I answer, that neither in virtue of the Vatican Decrees, nor of any other decrees, nor of his supreme authority as Head of the Christian Church, can the Pope make any claim upon those who adhere to his communion of such a nature as can impair the integrity of their Civil Allegiance.

To his second question, therefore, the answer is already given. I have no need to declare myself ready to repel and reject that which the Pope cannot do. He cannot do an act contrary to the Divine Law; but to impair my Civil Allegiance would be contrary to the Law of God.

It is strange to me that so acute a reasoner should have begged the question, which is this: By whom are the limits of Civil Allegiance to be determined? If Mr. Gladstone should say by the State, I would

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[1] *The Vatican Decrees*, p. 44.

ask—Does he mean that the State is infallible in morals? or that subjects have no conscience, or that the State may coerce their conscience, or that the State can create a morality which all consciences must obey? Some of these postulates are inevitably assumed in his question, if it has any meaning.

My reasons for saying this will be seen in the following chapter.

CHAPTER II.

THE RELATIONS OF THE SPIRITUAL AND CIVIL POWERS.

We will now go on to my second proposition, that the relations of the Catholic Church to the Civil Powers have been fixed immutably from the beginning, because they arise out of the Divine constitution of the Church and of the Civil Society of the natural order.

I. Inasmuch as the natural and civil society existed before the foundation of the Christian Church, we will begin with it; and here my concessions, or rather my assertions, will, I hope, satisfy all but Cæsarists.

1. The civil society of men has God for its Founder. It was created potentially in the creation of man; and from him has been unfolded into actual existence. The human family contains the first principles and laws of authority, obedience, and order. These three conditions of society are of Divine origin; and they are the constructive laws of all civil or political society.

2. To the Civil Society of mankind supreme authority is given *immediately* by God; for a society does not signify mere number, but number organised by the laws and principles which its Divine Founder implanted in the human family. Sovereignty, there-

fore, is given by God immediately to human society; and *mediately*, or *mediante societate*, to the person or persons to whom society may commit its custody and its exercise. When once the supreme power or sovereignty has been committed by any society to a king, or to consuls, or to a council, as the case may be—for God has given no special form of Civil Government—though it be not held by those who receive it by any Divine right, as against the society which gave it, nevertheless it has both a Divine sanction and a Divine authority. For instance, it has the power of life and death. God alone could give to man this power over man. God gave it to man for self-defence. It passes to society at large, which likewise has the right of self-defence. It is committed by society to its chief executive. But, inasmuch as the supreme power is still given by God to the Civil Ruler, even though it be *mediately*, it has a Divine sanction; and so long as the Civil Ruler does not deviate from the end of his existence, the society has no power to revoke its act. For example: the Civil Ruler is for the defence of the people; but if he should make war upon the people, the right of self-defence would justify resistance. I am not now engaged in saying when or how; but the right is undeniable. Manslaughter is not murder, if it be in self-defence; wars of defence are lawful; and just resistance to an unjust prince is not rebellion. All this is founded upon the Divine sanctions of the civil and political society of man, even in the order of

nature. It has, then, God for its Founder, for its Legislator, and by His divine Providence for its supreme Ruler.

3. The laws of such society are the laws of nature. It is bound by the natural morality written on the conscience and on the heart. The ethics which govern men become politics in the government of states. Politics are but the collective morals of society. The Civil Ruler or Sovereign is bound by the laws: the subject within the sphere of these laws owes to him a civil allegiance. The Civil Ruler may bind all subjects by an oath of allegiance. He may call on all to bear arms for the safety of the State.

4. The State has for its end, not only the safety of person and property, but, in its fullest sense, the temporal happiness of man. Within the sphere of natural morality, and in order to its end, the State is supreme: and its power is from God. This is the meaning of St. Paul's words:—

'Let every soul be subject to higher powers: for there is no power but from God; and those that are, are ordained of God. Therefore he that resisteth the power, resisteth the ordinance of God; and they that resist, purchase to themselves damnation. . . . For he is God's minister to thee for good. But if thou do that which is evil, fear, for he beareth not the sword in vain: for he is God's minister, an avenger to execute wrath upon him that doeth evil. Wherefore be subject of necessity, not only for wrath but also for conscience sake.'[1]

[1] Romans xiii. 1-5.

The State, then, is a perfect society, supreme within its own sphere, and in order to its own end: but as that end is not the highest end of man, so the State is not the highest society among men; nor is it, beyond its own sphere and end, supreme. I have drawn this out in greater fulness to show that the Church is in the highest degree conservative of all the natural authority of rulers, and of the natural allegiance of subjects. It is mere shallowness to say that between the Civil authority, as Divinely founded in nature, and the spiritual authority of the Church there can be opposition.

Now, as to the Divine institution of the Civil Society of the world and of its independence in all things of the natural order, what I have already said is enough. The laws of the order of nature are from God. So long as a father exercises his domestic authority according to the law of God, no other authority can intervene to control or to hinder his government. So likewise of the Prince or Sovereign power, be it lodged in one or in many. There is no authority upon earth which can depose a just sovereign or release such subjects from their obedience.[1]

II. There is, however, another society, the end of which is the eternal happiness of mankind. This also has God for its Founder, and that immediately; and it

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[1] 'Etiam nocentium potestas non est nisi a Deo.'—St. Augustine, *De Natura Boni contra Manich.* cap. xxxii.

has received from God its form and constitution, and its rulers receive their authority immediately,[1] with a special Divine sanction and authority, from God.

Two things follow at once from this:—

1. That the society which has for its end the eternal happiness of man is of an order higher than the society which aims only at the natural happiness of man.
2. That as the temporal and the eternal happiness of man are both ordered by Divine laws, these two societies are, of necessity, in essential conformity and harmony with each other. Collision between them can only be if either deviates from its respective laws.

The natural society of man aims *directly* at the temporal happiness of its subjects, but *indirectly* it aims also at their eternal happiness: the supernatural society aims *directly* at their eternal happiness, and *indirectly* at their temporal happiness, but always in so far only as their temporal happiness is conducive to their eternal end.

From this, again, two other corollaries follow:—

1. That the higher or supernatural society is supreme because it has no other society above it or beyond it, with an end higher than its own.

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[1] Suarez, *Defensio Fidei*, lib. iii. cap. ii. sect. 5, 15, 16.

2. That the office of the supernatural society is to aid, direct, and perfect the natural society; that its action upon it is always *in ædificationem non in destructionem*, inasmuch as it is governed by the same Divine Lawgiver, and it is directed to an end which includes and ensures the end of the natural society also.

To put this briefly. The State has for its end the temporal happiness of its subjects; the Church has for its end their eternal happiness. In aiming directly at temporal happiness, the State aims also indirectly at the eternal; for these things are promoted by the same laws. In aiming at eternal happiness, the Church also indirectly aims at the temporal happiness of men.

III. The Divine Founder of the Christian Church said: 'To thee I will give the keys of the kingdom of heaven. And whatsoever thou shalt bind on earth shall be bound also in heaven, and whatsoever thou shalt loose on earth shall be loosed also in heaven.' [1] And again: 'All power is given to me in heaven and in earth. Going therefore, teach all nations,' . . . 'teaching them to observe all things whatsoever I have commanded you.' [2]

If these two commissions do not confer upon the Christian Church a supreme doctrinal authority, and

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[1] St. Matthew xvi. 19. [2] Ibid. xxviii. 18, 19.

a supreme judicial office, in respect to the moral law, over all nations, and over all persons, both governors and governed, I know not what words could suffice to do so.

That authority and that office are directive and preceptive, so long as Princes and their laws are in conformity with the Christian law; and judicial, *ratione peccati*, by reason of sin, whensoever they deviate from it.

If any man deny this, he would thereby affirm that Princes have no superior upon earth: which is the doctrine of the heathen Cæsarism.

But no man will say that Princes have no superior. It is unmeaning to say that they have no superior but the law of God: for that is to play with words. A law is no superior without an authority to judge and to apply it.

To say that God is the sole Lawgiver of Princes is a doctrine unknown, not only to the Catholic Church, but to the Constitution of England. When we say, as our old Jurists do, *Non Rex facit legem*, but *Lex facit Regem*, we mean that there is a will above the King; and that will is the Civil Society, which judges if and when the King deviates from the law. But this doctrine, unless it be tempered by vigorous restraint, is chronic revolution. What adequate restraint is there but in a Divine authority higher than the natural society of man?

The Supreme Judicial Power of the Church has no

jurisdiction over those that are not Christian; and the entire weight of its authority, if it were applied at all to such a state, would be applied to confirm the natural rights of sovereignty and to enforce the natural duty of allegiance: and that, upon the principle that the supernatural power of the Church is for edification, not for destruction; that is, to build up and to perfect the order of nature, not to pull down a stone in the symmetry of the natural society of man. St. Thomas says:

'Power and authority are established by human right; the distinction between the faithful and those who do not believe is established by Divine right. But the Divine right, which comes by grace, does not destroy the human right, which is in the order of nature.'[1]

Let us suppose that the Sovereign Power of a heathen people were to make laws contrary to the law of God, would the Church intervene to depose such a sovereign? Certainly not, on the principle laid down by the Apostle, 'What have I to do to judge those that are without?'[2]

Such a people is both individually and socially outside the Divine jurisdiction of the Church. The Church has therefore, in this respect, no commission to discharge towards it except to convert it to Christianity.

But if it be the office of the Church to teach subjects

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[1] St. Thomas, 2*da* 2*dæ*, *quæst.* x. art. 10.

[2] 1 Cor. v. 12.

to obey even Heathen Rulers, as the Apostle did, how much more, in the case of Christian Princes and their laws, is it the office of the Church to confirm, consecrate, and enforce by the sanctions of religion and of conscience, of doctrine and of discipline, the whole code of natural and political morality, and all laws that are made in conformity with the same.

If Christian Princes and their laws deviate from the law of God, the Church has authority from God to judge of that deviation, and by all its powers to enforce the correction of that departure from justice. I do not see how any man who believes in the Revelation of Christianity can dispute this assertion: and to such alone I am at present speaking.

Mr. Gladstone has quoted a passage from an 'Essay on Cæsarism and Ultramontanism,' in which I have claimed for the Church a supremacy in spiritual things over the State, and have made this statement:—

'Any power which is independent and can alone fix the limits of its own jurisdiction, and can thereby fix the limits of all other jurisdictions, is, *ipso facto*, supreme. But the Church of Jesus Christ, within the sphere of revelation—of faith and morals—is all this, or is nothing or worse than nothing, an imposture and an usurpation; that is, it is Christ or Antichrist.'[1]

It is hardly loyal to take the conclusion of a

[1] *Cæsarism and Ultramontanism*, p. 36.

syllogism without the premises. In the very page before this quotation I had said:—

'In any question as to the competence of the two powers, either there must be some judge to decide what does and what does not fall within their respective spheres, or they are delivered over to perpetual doubt and to perpetual conflict. But who can define what is or is not within the jurisdiction of the Church in faith and morals, except a judge who knows what the sphere of faith and morals contains, and how far it extends? And surely it is not enough that such a judge should guess or opine, or pronounce upon doubtful evidence, or with an uncertain knowledge. Such a sentence would be, not an end of contention, but a beginning and a renewal of strife.

'It is clear that the Civil Power cannot define how far the circumference of faith and morals extends. If it could, it would be invested with one of the supernatural endowments of the Church. To do this it must know the whole deposit of explicit and implicit faith; or, in other words, it must be the guardian of the Christian revelation. Now, no Christian, nor any man of sound mind, claims this for the Civil Power. . . . . If, then, the Civil Power be not competent to decide the limits of the Spiritual Power, and if the Spiritual Power can define with a Divine certainty its own limits, it is evidently supreme. Or, in other words, the Spiritual Power knows with Divine certainty the limits of its own jurisdiction; and it knows therefore the limits and the competence of the Civil Power. It is thereby in matters of religion and conscience supreme.'[1]

If the Church cannot fix the limits of its jurisdiction, then either nobody can or the State must.

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[1] *Cæsarism and Ultramontanism*, pp. 34, 35.

But the State cannot unless it claim to be the depository and expositor of the Christian Revelation. Therefore it is the Church or nobody. This last supposition leads to chaos. Now if this be rejected, the Church alone can: and if the Church can fix the limits of its own jurisdiction, it can fix the limits of all other jurisdiction; at least, so far as to warn it off its own domain. But this was my conclusion; and though I have seen it held up to odium, I have not yet seen it answered.

But the Church being the highest society, and independent of all others, is supreme over them, in so far as the eternal happiness of men is involved.

From this, again, two consequences follow:—

1. First, that in all things which are purely temporal, and lie *extra finem Ecclesiæ*, outside of the end of the Church, it neither claims nor has jurisdiction.
2. Secondly, that in all things which promote, or hinder, the eternal happiness of men, the Church has a power to judge and to enforce.

IV. Such propositions are no sooner enunciated than we are met by a tumult of voices, such as those of *Janus*, *Quirinus*—and I lament to detect the tones of a voice, hitherto heard in behalf of the authority of Christianity and of the Christian Church,—affirming that the Church of Rome and its Pontiffs claim

supreme temporal[1] power, and that direct, over all Temporal Princes and things ; to be used at their discretion even to the deposing of Kings, to the absolution of subjects from allegiance, to the employment of force, imprisonment, torture, and death.

If such be the state of our highest minds, we cannot regret that this discussion has been forced upon us. It has come not by our act. It has arisen in its time appointed. It will for awhile raise alarm and suspicion ; it will kindle animosity and encourage bigotry: but it will manifest the truth with a wider light than England has seen for three hundred years. I will therefore freely and frankly enter upon this debate ; and, in order to be clear, I will treat the subject under the following propositions :—

1. The authority of Princes and the allegiance of subjects in the Civil State of nature is of Divine ordinance; and therefore, so long as Princes and their laws are in conformity to the law of God, the Church has no power or jurisdiction against them, nor over them.
2. If Princes and their laws deviate from the law of God, the Church has authority from God to judge of that deviation, and to oblige to its correction.
3. The authority which the Church has from

[1] *Expostulation*, p. 27.

God for this end is not *temporal*, but *spiritual*.

4. This spiritual authority is not direct in its incidence on temporal things, but only indirect: that is to say, it *directly* promotes its own *spiritual* end; it *indirectly* condemns and declares not binding on the conscience such *temporal* laws as deviate from the law of God, and therefore impede or render impossible the attainment of the eternal happiness of man.
5. This spiritual authority is inherent in the Divine constitution and commission of the Church; but its exercise in the world depends on certain moral and material conditions, by which alone its exercise is rendered either possible or just.

I have affirmed that the relations of the Catholic Church to the Civil Powers are fixed primarily by the Divine constitution of the Church and of the Civil Society of men. But it is also true that these relations have been declared by the Church in acts and decrees which are of infallible authority. Such, for instance, is the Bull of Boniface VIII., *Unam Sanctam*. As this has become the text and centre of the whole controversy at this moment, we will fully treat of it. This Bull, then, was beyond all doubt an act *ex cathedra*. It was also confirmed by Leo X. in the Fifth Lateran Œcumenical Council. Whatever definition, therefore, is to be found in this Bull is to

be received as of faith. Let it be noted that the *Unam Sanctam* does not depend upon the Vatican Council for its infallible authority. It was from the date of its publication an infallible act, obliging all Catholics to receive it with interior assent. Doctrines identical with those of the *Unam Sanctam* had been declared in two Œcumenical Councils—namely, in the Fourth Lateran in 1215, and the First of Lyons in 1245.[1] On this ground, therefore, I have affirmed that the relations of the Spiritual and Civil Powers were immutably fixed before the Vatican Council met, and that they have been in no way changed by it.

V. We will now examine, (1) the complete text of the *Unam Sanctam*; (2) the interpretations of its assailants and its defenders; (3) the interpretation which is of obligation on all Catholics.

1. The Bull was published by Boniface VIII., in 1302, during the contest with Philip le Bel of France.

Before the Bull was published, the Regalists or partisans of the King declared that the Pope had claimed, as Mr. Gladstone also supposes, to be supreme over the King, both in spiritual and in temporal things. The Chancellor Flotte made this assertion in the year 1301, at Paris, in the Church of Notre Dame. The cardinals sent by Boniface

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[1] Bellarmin. *De Potest. Papæ*, in præf. p. 844, Cologne, 1617.

declared that the Pope made no such claim; that he claimed no temporal, but only a spiritual power.[1] Nevertheless this prejudice, once created, before the publication of the *Unam Sanctam*, ensured its being misinterpreted when it was issued. Boniface, by the Bull *Ausculta Fili*, had promptly exposed this misinterpretation. But the prejudice was already established.[2]

I will now give the whole text of the Bull, before commenting upon it. It runs as follows:—

'We are bound to believe and to hold, by the obligation of faith, one Holy Church, Catholic and also Apostolic; and this (Church) we firmly believe and in simplicity confess: out of which there is neither salvation nor remission of sins. As the Bridegroom declares in the Canticles, "One is my dove, my perfect one, she is the only one of her mother, the chosen of her that bore her:"[3] who represents the one mystical Body, the Head of which is Christ; and the Head of Christ is God. In which (the one Church) there is one Lord, one Faith, one Baptism.[4] For in the time of the Flood the ark of Noe was one, prefiguring the one Church, which was finished in one cubit,[5] and had one governor and ruler, that is Noe; outside of which we read that all things subsisting upon earth were destroyed. This also we venerate as one, as the Lord says in the Prophet, "Deliver, O God, my soul from the sword: my only one from the hand of the dog."[6]

'For He prayed for the soul, that is, for Himself; for

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[1] Döllinger's *Church History*, vol. iv. p. 90. [2] *Ibid.* p. 91.
[3] Cant. vi. 8. [4] Ephesians iv. 5. [5] Genesis vi. 16.
[6] Psalm xxi. 21.

the Head together with the Body: by which Body He designated the one only Church, because of the unity of the Bridegroom, of the Faith, of the Sacraments, and of the charity of the Church. This is that coat of the Lord without seam,[1] which was not rent but went by lot. Therefore of that one and only Church there is one body and one Head, not two heads as of a monster: namely, Christ and Christ's Vicar, Peter and Peter's successor; for the Lord Himself said to Peter, "Feed my sheep."[2] Mine, He says, generally; and not, in particular, these or those: by which He is known to have committed all to him. If, therefore, Greeks or others say that they were not committed to Peter and his successors, they must necessarily confess that they are not of the sheep of Christ, for the Lord said (in the Gospel) by John, that there is "One fold, and one only shepherd."[3] By the words of the Gospel we are instructed that in this his (that is, Peter's) power there are two swords, the spiritual and the temporal. For when the Apostles say, "Behold, here are two swords,"[4] that is, in the Church, the Lord did not say, "It is too much," but "it is enough." Assuredly, he who denies that the temporal sword is in the power of Peter, gives ill heed to the word of the Lord, saying, "Put up again thy sword into its place."[5] Both, therefore, the spiritual sword and the material sword are in the power of the Church. But the latter (the material sword) is to be wielded ON BEHALF OF the Church; the former (the spiritual) is to be wielded BY the Church: the one by the hand of the priest; the other by the hand of kings and soldiers, but at the suggestion and sufferance of the priest. The one sword ought to be subject to the other, and the

[1] St. John xix. 23, 24. [2] St. John xxi. 17. [3] St. John x. 16.
[4] St. Luke xxii. 38. [5] St. Matthew xxvi. 52.

temporal authority ought to be subject to the spiritual power. For whereas the Apostle says, "There is no power but from God; and those that are, are ordained of God;"[1] they would not be ordained (or ordered) if one sword were not subject to the other, and as the inferior directed by the other to the highest end. For, according to the blessed Dionysius, it is the law of the Divine order that the lowest should be guided to the highest by those that are intermediate. Therefore, according to the order of the universe, all things are not in equal and immediate subordination; but the lowest things are set in order by things intermediate, and things inferior by things superior. We ought, therefore, as clearly to confess that the spiritual power, both in dignity and excellence, exceeds any earthly power, in proportion as spiritual things are better than things temporal. This we see clearly from the giving, and blessing, and sanctifying of tithes, from the reception of the power itself, and from the government of the same things. For, as the truth bears witness, the spiritual power has to instruct, and judge the earthly power, if it be not good; and thus the prophecy of Jeremias is verified of the Church and the ecclesiastical power: "Lo, I have set thee this day over the nations and over kingdoms," &c.[2] If, therefore, the earthly power deviates (from its end), it will be judged by the spiritual; but if a lesser spiritual power trangresses, it will be judged by its superior: but if the supreme (deviates), it can be judged, not by man, but by God alone, according to the words of the Apostle: "The spiritual man judges all things; he himself is judged by no one."[3] This authority, though given to man and exercised through man, is not human, but rather Divine—given by the Divine voice to Peter, and confirmed to

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[1] Romans xiii. 1. [2] Jeremiah i. 10. [3] 1 Corinthians ii. 15.

him and his successors in Him whom Peter confessed, the Rock, for the Lord said to Peter: "Whatsoever thou shalt bind upon earth, it shall be bound also in heaven: and whatsoever thou shalt loose on earth, it shall be loosed also in heaven."[1]

'Whosoever therefore resists this power that is so ordered by God, resists the ordinance of God,[2] unless, as Manichæus did, he feign to himself two principles, which we condemn as false and heretical; for, as Moses witnesses, "God created heaven and earth not in the beginnings, but in the beginning."[3] Moreover, we declare, affirm, define, and pronounce it to be necessary to salvation for every human creature to be subject to the Roman Pontiff.'

2. We will next take the interpretations. They may be put into three classes:—

(1) First, of those who assailed it at the time.

The theologians and doctors of the school at Paris had always taught by a constant tradition that the Popes possessed a spiritual and indirect power over temporal things. John Gerson may be taken as the representative of them all. He says the ecclesiastical power does not possess the dominion and the rights of earthly and of heavenly empire, so that it may dispose at will of the goods of the clergy, and much less of the laity; though it must be conceded that it has in these thing an authority (*dominium*) to rule, to direct, to regulate, and to ordain.[4] Such was the

[1] St. Matthew xvi. 19. [2] Romans xiii. 2. [3] Genesis i. 1.

[4] Joann. Gerson, *De Potest. Eccles.* Consid. xii. Bianchi, *Della Potestà et della Politia della Chiesa*, tom. i. lib. i. cap. xi.

doctrine of Almain, Alliacus, John of Paris, and of the old Sorbonne. It was also the doctrine of the theologians of the Council of Constance ; who are always quoted as opponents of the Infallibility of the Pope, because they held that, though the See of Rome could not err, he that sat in it might err. They likewise held the deposing power, which alone is enough to show how little the definition of the Infallibility has to do with the deposition of Kings.

When the *Unam Sanctam* was published, Egidius Romanus, the Archbishop of Bourges, wrote against it, being deceived into a belief that Boniface claimed a direct temporal power over the King of France, over and above that power which had always been admitted in France according to the Bull *Novit* of Innocent III.—viz. an indirect spiritual power in temporal matters when involving sin.[1] The same course was taken by other French writers.

Boniface had already declared in a Consistory in 1302 that he had never assumed any jurisdiction which belonged to the King ; but that he had declared the King to be, like any other Christian, subject to him only in regard to sin.[2]

(2) Secondly, the Regalists once more assailed the *Unam Sanctam* in the reign of Louis XIV.

Bianchi says that there is not to be found a writer

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[1] Bianchi, lib. i. cap. x.

[2] Döllinger's *History of the Church*, vol. iv. p. 91.

in France, before Calvin, who denied this indirect spiritual power; that the denial was introduced by the Huguenots about the year 1626; that the Sorbonne began to adhere to it, and reduced it to a formula in 1662.[1] Bossuet endeavours to fasten on the *Unam Sanctam* the old Regalist interpretation, and affirms that it was withdrawn by Clement V.: which statement is contrary to the fact. Clement V., on the contrary, interprets the Bull in the true sense, as Boniface had done, declaring that Boniface did not thereby subject the King, or the Kingdom of France, in any greater degree to the authority of the Pontiff than they had been before, that is, according to the Bull of Innocent III. *Novit*, and the doctrines of the old Sorbonne.[2]

The history of the Four Gallican Articles, and of the writers who defended them, is too well known to need repetition.

(3) We come, lastly, to those who have assailed it at this time.

It is not a little wearisome to read the same old stories over again; and to be told as 'scientific history' that Boniface VIII. claimed to have received both swords as his own, to be held in his own hand, and wielded by him in direct temporal jurisdiction over temporal princes. We have all this raked up again

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[1] Lib. i. cap. xiii.

[2] In the Appendix A will be found in full the Text of the three Pontifical Acts, *Novit*, *Unam Sanctam*, *Meruit*.

in *Janus*. From *Janus* it goes to newspapers, magazines, and pamphlets. Anybody can interpret a Pope's Bull. There is no need of a knowledge of contemporary facts, or of the terminology of the Civil or Canon Law, or of Pontifical Acts, or of the technical meaning of words. A dictionary, and a stout heart to attack the Popes, is enough. Such men would have us believe, against all the Popes, that they have claimed temporal power, properly so called, over temporal Princes.

VI. I will, therefore, now give what may be affirmed to be the true and legitimate interpretation of the *Unam Sanctam*.

It cannot be better stated than in the words of Dr. Döllinger.[1] He writes thus:—

'Boniface opened the council, at which there were present from France four archbishops, thirty-five bishops, and six abbots, in November 1302. One consequence of this council appears to have been the celebrated decretal *Unam Sanctam*, which was made public on the 18th of November, and which contains an exposition of the relations between the spiritual and temporal powers. In the Church, it says, there are two powers, a temporal and spiritual, and as far as they are both in the Church, they have both the same end: the temporal power, the inferior, is subject to the spiritual, the higher and more noble; the former must be guided and directed by the latter, as the body is by the soul; it receives from the spiritual its

[1] *Hist.* iv. p. 91.

consecration and its direction to its highest object, and must therefore, should it ever depart from its destined path, be corrected by the spiritual power. It is a truth of faith that all men, even kings, are subject to the Pope; if, therefore, they should be guilty of grievous sins, in peace or in war, or in the government of their kingdoms, and the treatment of their subjects, and should thus lose sight of the object to which the power of a Christian Prince should be directed, and should give public scandal to the people, the Pope can admonish them, since in regard to sin they are subject to the spiritual power; he can correct them; and, if necessity should require it, compel them by censures to remove such scandals. For if they were not subject to the censures of the Church, whenever they might sin in the exercise of the power entrusted to them, it would follow that as kings they were out of the Church; that the two powers would be totally distinct from each other; and that they were descended from distinct and even opposed principles, which would be an error approaching to the heresy of the Manichees. It was therefore the indirect power of the Church over the temporal power of kings which the Pope defended in these Bulls; and he had designedly extracted the strongest passages of them from the writings of two French theologians, St. Bernard and Hugo of St. Victor.'

The interpretation given here by Dr. Döllinger is undoubtedly correct. All Catholics are bound to assent to the doctrines here declared; for though they are not here defined, yet they are certainly true. The only definition, properly so called, in the Bull is contained in the last sentence.

Now, upon the doctrines declared by the Bull it is to be observed :—

1. That it does not say that the two swords were *given* by our Lord to the Church; but that the two swords are *in potestate Ecclesiæ*, 'in the power of the Church.'
2. That it at once goes on to distinguish, 'Both (swords) are *in the power* of the Church, the spiritual, that is, and the material. But this (the material) is to be used *for* the Church; that (the spiritual) is to be used *by* the Church. This, indeed (by the hand) of the Priest; that, by the hand of kings and soldiers, but at the bidding and sufferance of the Priest.'
3. That though both swords are *in* the Church, they are held in different hands, and to be used by the subordination of the one to the other. *Oportet autem gladium esse sub gladio:* the one sword must be subordinate to the other, the lower to the higher.
4. That Boniface VIII., in this very Bull *Unam Sanctam*, expressly declares that the power given to Peter was the '*Suprema Spiritualis potestas*,' not the Temporal, or a mixed power, but purely Spiritual, which may judge all Powers, but self is judged of God alone.

Now, on the principles already laid down, there

ought to be no difficulty in rightly and clearly understanding this doctrine.

1. For first the Material Sword is as old as human society. It was not given by grace, nor held by grace, which is a heresy condemned in Wiclif by the Council of Constance; but it belongs to the Civil Ruler in the order of nature, as St. Paul, speaking of the heathen empire, says: 'He beareth not the sword in vain; for he is the minister of God to execute wrath.'

Nothing but want of care or thought could have led men to forget this, which is a truth and fact of the natural order.

When any prince by baptism became Christian, he became subject to the law of God and to the Church as its expositor. He became subject, not only as a man, but as a prince; not only in the duties of his private life, but in the duties of his public life also. But this did not deprive him of the civil sword, nor of any of the rights of the natural order.[1] *Oportet autem gladium esse sub gladio.* The Bull declares that the Material Sword which he brought with him when he was baptized ought to be subject to the Spiritual Sword. But it nowhere says that the Material Sword was given to the Church, or that the Church gave it to the Imperial Ruler. It is *in* the

[1] Bianchi, lib. i. cap. iv.

Church, because he that bears it is in the Church. It is the office of the Church to consecrate it, and (*instituere*) to *instruct* it. But it belongs essentially to the natural order, though it is to be exercised according to the supernatural order of faith.

2. When it is said that both Swords are 'in *the power of the Church*,' it means that the Church in a Christian world includes the natural order in its unity. The conception of the Church included the whole complex Christian Society, made up of both powers, united in a complete visible unity.

Mr. Bryce, in his excellent work on the Holy Roman Empire, says:—

'Thus the Holy Roman Church, and the Holy Roman Empire are one and the same thing in two aspects; and Catholicism, the principle of the universal Christian Society, is also Romanism: that is, rests upon Rome as the origin and type of universality, manifesting itself in a mystic dualism which corresponds to the two natures of its Founder. As Divine and eternal, its head is the Pope, to whom all souls have been entrusted; as human and temporal, the Emperor, commissioned to rule men's bodies and acts.'[1]

Mr. Bryce has here clearly seen the concrete unity of the Christian world; but he has missed the order which creates that unity. His description is what Boniface VIII. calls 'a monster with two heads.' Mr. Bryce

[1] *The Holy Roman Empire*, p. 108. (Macmillan, 1871.)

quotes this saying in a note. If he had mastered the spiritual element as he has mastered the political, Mr. Bryce's book would have ranked very high among great authors.

Mr. Freeman, in an article on Mr. Bryce's book, is nearer to the true conception. He writes as follows:

'The theory of the Mediæval Empire is that of an universal Christian Monarchy. The Roman Empire and the Catholic Church are two aspects of one Society.' . . . 'At the head of this Society, in its temporal character as an Empire, stands the temporal chief of Christendom, the Roman Cæsar; at its head, in its spiritual character as a Church, stands the spiritual chief of Christendom, the Roman Pontiff. Cæsar and Pontiff alike rule by Divine right.[1]

Now here are two things to be noted. First, that the Emperor holds an office of human creation; the Pontiff an office of Divine creation. Secondly, that the office of Divine creation is for a higher end than the office which is of human origin. The former is for the eternal, the latter for the earthly happiness of man.

But, as I have said before, the office of Divine creation, ordained to guide men to an eternal end, is higher than the office of human origin, directed to an earthly and temporal end; and in this the perfect unity and subordination of the whole is constituted and preserved.

[1] Freeman's *Historical Essays*, pp. 136–137. (Macmillan, 1872.)

Nevertheless, both Mr. Bryce and Mr. Freeman bring out clearly what Boniface means when he says that the two swords are *in Ecclesia*, *in* the Church, and *in potestate Ecclesiæ*, *in the power* of the Church.

To this I may add the following passage from the late Cardinal Tarquini, who states the whole subject with great precision:—

'The Civil Society of Catholics is distinguished from others by this—that it consists of the same assemblage of men as the Church of Christ, that is, the Catholic Church, consists of: so that it in no way constitutes a real body diverse and separate from the Church; but both (societies) together have the character of a twofold federative association and obligation inhering in the same multitude of men, whereby the Civil Society under the government of the Civil Magistrate exerts its powers to secure the temporal happiness of men, and, under the government of the Church, to secure eternal life; and in such wise that eternal life be acknowledged to be the last and supreme end to which temporal happiness and the whole temporal life is subordinate; because if any man do not acknowledge this, he neither belongs to the Catholic Church, nor may call himself Catholic. Such, then, is the true notion of the Civil Society of Catholics. It is a society of men who so pursue the happiness of this life as thereby to show that it ought to be subordinate to the attainment of eternal happiness, which they believe can be attained alone under the direction of the Catholic Church.'[1]

We have here the full and genuine doctrine of the *Unam Sanctam*—the one body, the two swords,

[1] Tarquini, *Juris Eccl. Publici Institutiones*, p. 56. (Rome, 1873.)

the subordination of the material to the spiritual sword, the indirect power of the spiritual over the temporal whensoever it deviates from the eternal end.

Dr. Döllinger's interpretation, then, is strictly correct—namely, 'It was therefore,' he says, 'the indirect power of the Church over the temporal power of Kings which the Pope defended in these Bulls;' but that power of the Pope is itself Spiritual.

VII. From this doctrine Cardinal Tarquini draws the following conclusions:—

1. In things temporal, and in respect to the temporal end (of Government), the Church has no power in Civil society.

The proof of this proposition is that all things merely temporal are (*præter finem Ecclesiæ*) beside, or outside of, the end of the Church. It is a general rule that no society has power in those things which are out of its own proper end.

2. In whatsoever things, whether essentially or by accident, the spiritual end, that is, the end of the Church, is necessarily involved, in those things, though they be temporal, the Church may by right exert its power, and the Civil State ought to yield.[1]

In these two propositions we have the full explanation of the indirect spiritual power of the Church. I give it in Cardinal Tarquini's words—

'*Directly* the care of temporal happiness alone belongs

[1] Tarquini, *Juris Eccl. Publici Institutiones*, p. 57.

to the State, but *indirectly* the office also of protecting morals and religion; so, however, that this be done dependently on the Church, forasmuch as the Church is a society to which the care of religion and morals is directly committed.

'That which in the Civil Society is indirect and dependent, is direct and independent in the Church; and, on the other hand, the end which is proper and direct to the Civil State, that is, temporal happiness, falls only *indirectly*, or so far as the spiritual end requires, under the power of the Church.

'The result of all this is—

'1. That the Civil Society, even though every member of it be Catholic, is not subject to the Church, but plainly independent in temporal things which regard its temporal end.

'2. That the language of the Fathers, which seems to affirm[1] an absolute independence of the Civil State, is to be brought within this limit.'

VIII. I will now give a summary of this matter in the words of Suarez, and also his comment on the terminology used by Canonists and theologians on this subject.

He says that the opinion which gives to the Pontiff *direct temporal* power over all the world is false.

Next, he sets aside the opinion that the Pontiff has this direct temporal power over the Church.

He then gives as the true opinion that which has been affirmed—namely, that the Pontiff has not *direct temporal* power, except in those States of which he is

[1] Tarquini, *Juris Eccl. Publici Institutiones*, p. 55 *and note.*

Temporal Prince ; but that he has a *spiritual* power *indirectly* over temporal things, in so far as they affect the salvation of men or involve sin.[1]

One chief cause of the confusion of Regalists and our non-Catholic adversaries has been the uncertain use of language, and the want of a fixed terminology until a certain date.

The word *Temporal* was used in two senses. It was used to signify the power of Civil Rulers in the order of nature. And in this sense the Church has never claimed it for its head. It was used also to signify the *spiritual* power of the Pontiff *when incident indirectly upon temporal things.* The spiritual power, then, had a temporal effect, and took, so to speak, its colour and name from that use, remaining always spiritual as before.

For instance, we speak of 'the Colonial power' of the Crown, meaning the Imperial power applied to the government of the Colonies ; in like manner the Spiritual power of the Pope, applied indirectly to temporal things, was (*improprie*) improperly called Temporal, and this *usus loquendi* gave rise to much misinterpretation.

What I have here stated was the judgment of Bellarmine, who, in his answer to Barclay, writes as follows :—

'Barclay says that there are two opinions among

[1] Suarez, *De Legibus*, lib. iii. c. vi.

Catholics (on the power of the Pontiff). The one, which most Canonists follow, affirms that in the Supreme Pontiff, as Vicar of Christ, both powers, Spiritual and Temporal, exist: the other, which is the common opinion of Theologians, affirms that the power of the Supreme Pontiff, as Vicar of Christ, is strictly spiritual in itself; but that, nevertheless, he may, by the same, dispose temporal things so that they be ordered for spiritual ends.'[1]

Barclay argued that the power of the Pope in temporal things was a free and open opinion among Catholics: Bellarmine, in replying, says:—

'That this power is in the Pope is not opinion but certitude among Catholics, though there be many discussions as to *what* and *of what quality* the power is: that is to say, whether it be *properly* and *in itself* of a *temporal* kind, or whether it be not rather *spiritual*, but by a certain necessary consequence, and in order to spiritual ends, it dispose of temporal things.'[2]

Bellarmine states his own opinion in these words:

'Temporal Princes, when they come to the family of Christ, lose neither their princely power nor jurisdiction; but they become subject to him whom Christ has set over His family, to be governed and directed by him in those things which lead to eternal life.'[3]

Now, from these passages it would appear that in Bellarmine's judgment the opinions of the Canonists and the Theologians practically came to one and the

[1] Bellarmine, *De Potestate Summi Pontificis*, cap. i. p. 848 A, Cologne, 1617. [2] *Ibid.* cap. iii. p. 852 A. [3] *Ibid.* cap. iii. p. 858 A.

same thing, though their language was different. By Temporal Power some earlier Canonists may perhaps have intended a power temporal in itself; but the later Canonists did not intend more than a Spiritual power over temporal things : which the Theologians also asserted. But this use of the word *temporal* seemed to imply that the *quality* of the power was not *spiritual*, as the Theologians asserted. This ambiguity is the source of the misunderstandings which we daily read in attacks upon the Catholic Church. I can the more readily believe the good faith of those who so misconceive it, because I can remember that I was misled by the same mistake for many years. For instance, the Canonists affirm that the whole world is the territory of the Pontiff (*Territorium Pontificis*). But they do so in answering the objection, that where the Pontiff acts spiritually in the territory of any temporal Prince, he is invading the territory of another. The meaning is evident : namely, that the Pontiff has universal jurisdiction over the whole world. But this does not say that his jurisdiction is temporal. It affirms only that it runs into all the world. It merely affirms that it is universal: and the same writers assert that in itself it is only Spiritual.[1]

We have been told that Bellarmine's book was put upon the Index. But, after a judicial examin-

[1] Tarquini, p. 46.

ation, it was removed by order of the Holy See, and its perfect soundness acknowledged.

Suarez lays down precisely the same doctrine as Bellarmine. He says:—

'Those authors who teach absolutely that the Pope has Supreme Power, and that *temporal*, in the whole world, mean this, "that the Pontiff, in virtue of his *Spiritual* Power and jurisdiction, is superior to Kings and temporal Princes, so as to direct them in the use of their *temporal* Power in order to *Spiritual* ends."'

He then goes on:—

'For though they sometimes speak indistinctly, and without sufficient clearness, or even (*improprie*) incorrectly—because the power of the Pope is not temporal but spiritual, which contains under itself things temporal, and is exercised about them *indirectly*, that is, for the sake of Spiritual things—nevertheless they often make this sense clear, and lay down their distinctions either expressly or virtually; for they affirm that the Pontiff can do some things *indirectly*, but deny that he can do them *directly*.[1]

But if the Pope had *temporal* power properly so called, he could do all things *directly*. This negative proves that the power of which they spoke was only Spiritual.

Suarez further says:—

'Subjection is of two kinds—direct and indirect. Subjection is called *direct* when it is within the end and limits of the same power: it is called *indirect* when it

[1] Suarez, *Defensio Fidei Catholicæ*, tom. xxiv. lib. iii. c. xxii. 2nd ed. Paris, 1869.

springs from direction to a higher end, which belongs to a higher and more excellent power. The proper Civil Power in itself is directly ordained for the fitting state and temporal happiness of the human commonwealth in time of this present life; and therefore the power itself is called temporal. The Civil Power, therefore, is then called supreme in its own order when within the same, and in respect to its end, the ultimate resolution (of power) is made within its own sphere.' . . . . 'The chief ruler is, then, subordinate to no superior in order to the same end of Civil Government. But, as temporal and civil happiness are related to that which is spiritual and eternal, it may happen that the matter of Civil Government must be otherwise ordered and directed, in order to spiritual welfare, than the Civil policy alone seems to require. And then, though the temporal Prince and his power do not directly depend in their acts upon any other power in the same (*i. e.* the temporal) order, which also regards the same end only, nevertheless it may happen that it needs to be directed, helped, and corrected in the matter of its government by a superior power, which governs men in order to a more excellent and eternal end; and then this dependence is called *indirect*, because that higher power is not exercised in respect to temporal things (*per se*) of its own nature, nor for its own sake, but indirectly, and for another end.'[1]

It will be seen here:—

1. That the superior power cannot be temporal, or its jurisdiction would be direct.
2. That, if temporal, it would not be of a *higher*, but of the *same order*.

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[1] Suarez, *Defensio Fidei, &c.* lib. iii. cap. v. sect. 2.

3. That, therefore, the claim of indirect power is an express exclusion of temporal power, properly so called, from the spiritual supremacy of the Head of the Church.

Suarez states, but rejects, the opinion of certain early Canonists and Jurists who taught that the power of the Pontiff over any temporal thing was also temporal in itself. He then states and proves that this indirect power is *Spiritual* only. After speaking of the power of the Keys, he says:—

'In no other place did Christ imply that He gave to Peter or to the Church temporal dominion, or a proper and direct royalty; nor does Ecclesiastical tradition show this, but rather the reverse.'[1]

With these authorities before us, there can be little difficulty in explaining the texts usually quoted by adversaries, who desire to fasten on the *Unam Sanctam* and upon the Catholic Church a claim to temporal power, that is, temporal in its root and in itself.

The passages usually quoted from Pope Nicholas, St. Bernard, St. Thomas, Alvarez, Hugo of St. Victor, St. Bonaventura, Durandus, and others, are fully discussed and proved by Bellarmine to affirm no more than Spiritual power; and that indirectly over

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[1] Suarez, *Defensio Fidei, &c.* lib. iii. cap. v. sect. 14.

temporal matters, when they involve the Spiritual end of the Church.[1]

IX. I hope sufficiently to prove hereafter what I asserted—namely, that though a supreme spiritual authority be inherent in the Divine constitution and commission of the Church, its exercise in the world depends on certain moral and material conditions, by which alone its exercise is rendered possible or just. This shall be shown by treating the subjects raised by the 'Expostulation;'[2] namely, the deposing power, and the use of political force or penal legislation in matters of religion. I hope, and I believe, that I am able to show that the moral condition of the Christian world made justifiable in other ages that which would be unjustifiable in this; and that the attempt to raise prejudice, suspicion, and hostility against the Catholic Church at this day and in England by these topics, is an act essentially unjust; from which a real science of history ought to have preserved Mr. Gladstone. I must repeat here again that between the Vatican Council and these subjects there is no more relation than between jurisprudence and the equinox. Some fifteen Councils of the Church, of which two are General, have indeed recognised and acted upon the supremacy of the Spiritual authority of the Church over temporal things; but the Infallibility of the Roman Pontiff is one thing, his

[1] This may be seen in his *Controversia de Summo Pontifice*, cap. v.; and in Bianchi's work, *Della Potestà*, tom. i. p. 91, lib. i. ch. x. xi.

[2] *Expostulation*, p. 26.

supreme judicial authority is another. And the Definition of Infallibility by the Vatican Council has in no way, by so much as a jot or tittle, changed or affected that which was infallibly fixed and declared before. But, as I will go on to show, even infallible laws cease to apply when the subject matter is wanting, and the necessary moral conditions are passed away.

I must acknowledge, therefore, that the following words fill me with surprise. Speaking of Dr. Doyle and others, he says:—

'Answers in abundance were obtained, tending to show that the doctrines of deposition and persecution, of keeping no faith with heretics, and of universal dominion, were obsolete beyond revival.[1]

This passage implicitly affirms what I hope explicitly to prove. How can laws become *obsolete*, but by the cessation of the moral conditions which require or justify their exercise? How can laws, the exercise of which is required by the permanent presence of the same moral conditions which called them into existence, become obsolete? I pass over the 'no faith with heretics,' which is an example of the injustice which pervades the Pamphlet. I should have thought it impossible for Mr. Gladstone not to know the true meaning of this controversial distortion: but I am willing to believe that he did not know it; for if he had, it would have been impossible for such as he is to write it.

[1] *Expostulation*, p. 26.

The moral principles on which the exercise of supreme powers and rights was justifiable in the age of Boniface VIII. exist no longer in the nineteenth century in England. Let no one cynically pretend that this is to give up or to explain away. I read the other day these words :—

'The Pope has sent forth his prohibitions and his anathemas to the world, and the world has disregarded them. The faithful receive them with conventional respect, and then hasten to assure their Protestant friends that Papal edicts can make no possible difference in the conduct of any human being.' [1]

Nothing can be less true. The first principles of morals forbid the exercise of the supreme judicial power of the Church on such a civil order as that of England. When it was *de facto* subject to the Church, England had by its own free will accepted the laws of Christendom. It can never be again subject to such laws except on the same condition—namely, by its own free will. Till then the highest laws of morality render the exercises of such Pontifical acts in England impossible.

Mr. Gladstone has called on Pius IX. to repudiate such powers.[2] But Pius IX. cannot repudiate powers which his predecessors justly exercised, without implying that their actions were unjust. He

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[1] *Times*, Wednesday, December 30, 1874, in leading article on the Pope.

[2] *Expostulation*, p. 26.

need not repudiate them for himself, for the exercise of them is impossible, and, if physically possible, would be morally impossible, as repugnant to all equity, and, under correction, I will say to natural justice. The infallible witness for justice, and equity, and charity among men, cannot violate these laws which unerringly govern his office.

X. The command of our Lord to the Apostles: 'Go ye into the whole world and preach the Gospel to every creature: he that believeth and is baptised shall be saved, but he that believeth not shall be condemned'[1] —clearly invests the Church with authority to baptise every creature. But the exercise of this right was suspended upon a moral condition. It conveyed no right to baptise any man against his will; nor without an act of faith on his part. But an act of faith is a spontaneous and voluntary act of submission, both of intellect and will, to the truth, and to the teacher who delivers it. The absolute and universal authority therefore of the Church to baptise depends upon the free and voluntary act of those who believe, and, through their own spontaneous submission, are willing to be baptised.

The Church so regards the moral conditions on which its acts depend, that as a rule it will not even suffer an infant to be baptised unless at least one of the parents consents.

In like manner the power of absolution, which

[1] St. Mark xvi. 15, 16.

has no limit of time or of subject, can be exercised only upon those who are willing. Confession and contrition, both voluntary acts of the penitent, are absolutely necessary to the exercise of the power of the Keys.

This principle will solve many questions in respect to the Spiritual authority of the Church over the Civil State.

First, it shows that, until a Christian world and Christian Rulers existed, there was no subject for the exercise of this spiritual authority of judgment and correction. Those who amuse themselves by asking why St. Peter did not depose Nero, will do well to find out whether people are laughing with them or at them. Such questions are useful. They compendiously show that the questioner does not understand the first principles of his subject. If he will find out why St. Peter neither baptised nor absolved Nero, he will have found out why he did not depose him. Until a Christian world existed there was no *apta materia* for the supreme judicial power of the Church in temporal things. Therefore St. Paul laid down as a rule of law that he had nothing to do in judging those that were without the unity of the Church.

But when a Christian world came into existence, the Civil society of man became subject to the Spiritual direction of the Church. So long, however, as individuals only subjected themselves, one by one, to its

authority, the conditions necessary for the exercise of its office were not fully present. The Church guided men, one by one, to their eternal end; but as yet the collective society of nations was not subject to its guidance. It is only when nations and kingdoms become socially subject to the supreme doctrinal and judicial authority of the Church that the conditions of its exercise are verified. When the senate and people of the Roman Empire were only half Christian, the Church still refrained from acts which would have affected the whole body of the State. When the whole had become Christian, the whole became subject to the Divine Law, of which the Roman Pontiff was the supreme expositor and executive.

It would be endless to state examples in detail. I will take, therefore, only one in which the indirect spiritual power of the Church over the temporal State is abundantly shown. Take, for instance, the whole subject of Christian Matrimony: the introduction of the Christian law of the unity and indissolubility and sacramental character of marriage; the tables of consanguinity and of affinity; the jurisdiction of the Church over matrimonial cases. This action of the Pontifical law upon the Imperial law, and the gradual conformity of the Empire to the Church, exhibits in a clear and complete way what is the power claimed by the Church over the temporal laws of Princes.

The Council of Trent reserves matrimonial causes

to the Ecclesiastical Tribunals; and in the Syllabus the proposition is condemned that they belong to the Civil jurisdiction.[1]

In like manner, in prohibiting duels, the Council declares temporal penalties against not only the principals, but those also who are guilty of permitting them.[2]

In like manner, again, the Christian law of faith and morals passed into the public law of Christendom. Then arose the Christian jurisprudence, in which the Roman Pontiff was recognised as the supreme Judge of Princes and of People, with a twofold coercion: spiritual by his own authority, and temporal by the secular arm. These two acted as one. Excommunication and deposition were so united in the jurisprudence of Christendom, that he who pronounced the sentence of excommunication pronounced also the sentence of deposition; as before the repeal of our Test Acts, if a member of the Church of England became Catholic, or even Nonconformist, he was *ipso facto* incapable of sitting in Parliament or holding office of State. And by the first of William III. the heir to the Crown, if he become Catholic, or marry a Catholic, *ipso facto* forfeits the succession. Nothing is more certain upon the face of history, and no one has proved more abundantly than Dr. Döllinger, that

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[1] Sess. xxiv. De Ref. can. xii.

[2] Sess. xxv. cap. xix.

in every case of deposition, as of Philip le Bel, Henry IV. of Germany, Frederic II., and the like, the sentence of the Electors, Princes, States, and people, and the public opinion and voice of nations, had already pronounced sentence of rejection upon those tyrants before the Pontiffs pronounced the sentence of excommunication and deposition. It was only by the faith and free will of nations that they became socially subject to this jurisprudence; it was by their free will that it was maintained in vigour; and it was in conformity with their free will that it was exercised by the Pontiffs. Their free sentence preceded the Pontifical sentence. It was at their prayer, and in their behalf, that it was pronounced. The moral condition of spontaneous acceptance, and the material conditions of execution, were alike present, rendering these supreme Pontifical acts legitimate, right, lawful, wise, and salutary.

XI. And here I shall be met with the answer: 'You justify, then, the deposition of princes, and therefore you hold that the Pope may depose Queen Victoria.' Such, I am sorry to say, is the argument of the 'Expostulation;' for if it be not, why was it implied? I altogether deny the argument, or inference, or call it what you will. I affirm that the deposition of Henry IV. and Frederic II. of Germany were legitimate, right, and lawful; and I affirm that a deposition of Queen Victoria would not be legitimate, nor right, nor lawful, because the moral conditions

which were present to justify the deposition of the Emperors of Germany are absent in the case of Queen Victoria; and therefore such an act could not be done.

This is not a mere personal opinion of my own, or even a mere opinion of theologians. What I have affirmed has been declared by the authority of Pius VI. In a letter from the Congregation of Cardinals of the College of Propaganda, by order of His Holiness Pius VI., addressed to the Roman Catholic Archbishops of Ireland, dated Rome, June 23, 1791, we read as follows :—

'In this controversy a most accurate discrimination should be made between the genuine rights of the Apostolical See and those that are imputed to it by innovators of this age for the purpose of calumniating. The See of Rome never taught that faith is not to be kept with the heterodox—that an oath to kings separated from Catholic communion can be violated—that it is lawful for the Bishops of Rome to invade their temporal rights and dominions. We, too, consider an attempt or design against the life of kings and princes, even under the pretext of religion, as a horrid and detestable crime.'

I may add that this passage was not unknown to Dr. Döllinger, who quotes it at p. 51 in his work on 'The Church and the Churches.'

But lest any one should reply that this was said when Catholics were under penal laws, and with a view to blinding the English Government, I will add

that no one has more frankly and forcibly expressed this than Pius IX., in the very text of which Mr. Gladstone has quoted a part. The Holy Father, on July 20, 1871, thus addressed a Literary Society in Rome:—

'In the variety of subjects which will present themselves to you, one appears to me of great importance at this time; and that is, to defeat the endeavours which are now directed to falsify the idea of the Infallibility of the Pope. Among all other errors, that is malicious above all which would attribute (to the Infallibility of the Pope) the right of deposing sovereigns, and of absolving people from the obligation of allegiance.

'This right, without doubt, has been exercised by the Supreme Pontiffs from time to time in extreme cases, but it has nothing to do with the Pontifical Infallibility; neither does it flow from the Infallibility, but from the authority of the Pontiff.

'Moreover, the exercise of this right in those ages of faith which respected in the Pope that which he is, that is to say, the Supreme Judge of Christendom, and recognised the benefit of his tribunal in the great contentions of peoples and of sovereigns, was freely extended (by aid, as was just, of public jurisprudence, and the common consent of nations) to the gravest interests of States and of their rulers.'

So far Mr. Gladstone quoted from what was before him. Unfortunately, he appears not to have known what followed. Pius IX. went on to say:—

'But altogether different are the conditions of the present time from the conditions (of those ages); and malice

alone can confound things so diverse, that is to say, the infallible judgment in respect to truths of Divine Revelation with the right which the Popes exercised in virtue of their authority when the common good demanded it. They know better than we, and everybody can discern the reason why such an absurd confusion of ideas is stirred up at this time, and *why hypothetical cases are paraded of which no man thinks.* It is because every pretext, even the most frivolous and furthest from the truth, is eagerly caught at, provided it be of a kind to give us annoyance, and to excite civil rulers against the Church.

'Some would have me interpret and explain even more fully the Definition of the Council.

'I will not do it. It is clear in itself, and has no need of other comments and explanations. Whosoever reads that Decree with a dispassionate mind has its true sense easily and obviously before him.'[1]

Now, the Holy Father in these words has abundantly shown two things: first, that they who connect Infallibility with the Deposing Power are talking of what they do not understand; and, secondly, that the moral conditions which justified and demanded the deposition of tyrannical Princes, when the mediæval world was both Christian and Catholic, have absolutely ceased to exist, now that the world has ceased to be Catholic, and has ceased to be even Christian. It has withdrawn itself socially as a whole, and in the public life of nations, from the unity and the jurisdiction of the Christian Church.

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[1] *Discorsi di Pio Nono*, July 20, 1871, p. 203, Rome, 1872.

In this it differs altogether from the mediæval world. And it differs also from the ancient world. For, the ancient world had never yet believed the faith; the modern world has believed, but fallen from its faith. The ancient world was without the unity of the Christian Church *de facto et de jure*. The modern world is without *de facto*; and this has changed all the moral conditions of the subject. The Church never, indeed, loses its jurisdiction *in radice* over the baptised, because the character of baptism is indelible; but unless the moral conditions justifying its exercise be present, it never puts it forth. As Mr. Gladstone has cited the example of Queen Elizabeth, implying that he sees no difference between Queen Elizabeth and Queen Victoria, I will add that Queen Elizabeth was baptised a Catholic; that she was crowned as a Catholic; that she received Holy Communion in the High Mass of her consecration as a Catholic; that she was both *de jure* and *de facto* a subject of the Catholic Church; that the majority of the people of England were still Catholic. What one of all these conditions is present in the case which I refuse to put in parallel? The English Monarchy has been withdrawn for three centuries from the Catholic Church; the English people are wholly separate; the Legislation of England has effaced every trace of the jurisprudence which rendered the Pontifical acts of St. Gregory VII. and Innocent IV. legitimate, just, and right. The public laws of England

explicitly reject and exclude the first principles of that ancient Christian and Catholic jurisprudence. Not only is every moral condition which could justify such an act absent, but every moral condition which would render such an act unjustifiable, as it would seem to me, is present.[1] This is a treatment of history which is not scientific, but shallow; and a dangerous use of inflammatory rhetoric, when every calm dictate of prudence and of justice ought to forbid its indulgence. 'The historic spirit,'[2] commended in the 'Expostulation,' would have led to such a treatment of this question as Mr. Freeman wisely recommends.

'The cause of all this diversity and controversy—a diversity and controversy most fatal to historic truth—is to be traced to the unhappy mistake of looking at the men of the twelfth century with the eyes of the nineteenth; and still more of hoping to extract something from the events of the twelfth century to do service in the controversies of the nineteenth.'[3]

XII. For the same reasons I deplore the haste, I must say the passion, which carried away so large a mind to affirm or to imply that the Church at this day would, if she could, use torture, and force and coercion, in matters of religious belief. I am well aware that men of a mind and calibre as far removed from Mr. Gladstone as almost to constitute a different species,

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[1] Appendix B. [2] *Expostulation*, p. 14.

[3] Freeman's *Historical Essays*, 'St. Thomas of Canterbury and his Biographers,' p. 80.

have at times endeavoured to raise suspicion and animosity against Catholics, by affirming that if they became the majority in this country—a danger certainly not proximate—they would use their power to compel men to conform to the Catholic faith. In the year 1830 the Catholics of Belgium were in a vast majority, but they did not use their political power to constrain the faith or conscience of any man. The 'Four Liberties' of Belgium were the work of Catholics. This is the most recent example of what Catholics would do if they were in possession of power. But there is one more ancient and more homely for us Englishmen. It is found at a date when the old traditions of the Catholic Church were still vigorous in the minds of men. It will therefore show that in this at least we owe nothing to modern progress, nor to the indifference of Liberalism. If the modern spirit had any share in producing the Constitution in Belgium, it certainly had no share in producing the Constitution of Maryland. Lord Baltimore, who had been Secretary of State under James I., in 1633, emigrated to the American Plantations, where, through Lord Strafford's influence, he had obtained a grant of land. He was accompanied by men of all minds, who agreed chiefly in the one desire to leave behind them the miserable religious conflicts which then tormented England. They named their new country Maryland, and there they settled. The oath of the Governor

was in these terms: 'I will not, by myself or any other, directly or indirectly, molest any person professing to believe in Jesus Christ, for or in respect of religion.' Lord Baltimore invited the Puritans of Massachusetts, who, like himself, had renounced their country for conscience' sake, to come into Maryland. In 1649, when active persecution had sprung up again in England, the Council of Maryland, on the 21st of April, passed this Statute: 'And whereas the forcing of the conscience in matters of religion hath frequently fallen out to be of dangerous consequence in the Commonwealth where it has been practised, and for the more quiet and peaceable government of the Province, and the better to preserve mutual love and amity among the inhabitants, no person within the Province professing to believe in Jesus Christ shall be anyways troubled, molested, or discountenanced for his or her religion, or in the free exercise thereof.'[1] The Episcopalians and Protestants fled from Virginia into Maryland. Such was the Commonwealth founded by a Catholic upon the broad moral law I have here laid down—that faith is an act of the will, and that to force men to profess what they do not believe is contrary to the law of God, and that to generate faith by force is morally impossible. It was by conviction of the reason and by persuasion of the will that the world-wide unity of

[1] Bancroft's *History of the United States*, vol. i. pp. 233, 235, 255, &c.

faith and communion were slowly built up among the nations. When once shattered, nothing but conviction and persuasion can restore it. Lord Baltimore was surrounded by a multitude scattered by the great wreck of the Tudor persecutions. He knew that God alone could build them up again into unity; but that the equity of charity might enable them to protect and to help each other, and to promote the common weal.

I cannot refrain from continuing the history. The Puritan Commonwealth in England brought on a Puritan revolution in Maryland. They acknowledged Cromwell, and disfranchised the whole Catholic population. 'Liberty of conscience' was declared, but to the exclusion of 'Popery, Prelacy, and licentiousness of opinion.' Penal laws came of course. Quakers in Massachusetts, for the first offence, lost one ear; for the second, the other; for the third, had their tongue seared with a red-hot iron. Women were whipped, and men were hanged, for religion. If Catholics were in power to-morrow in England, not a penal law would be proposed, nor the shadow of constraint be put upon the faith of any man. We would that all men fully believed the truth; but a forced faith is a hypocrisy hateful to God and man. If Catholics were in power to-morrow, not only would there be no penal laws of constraint, but no penal laws of privation. If the Ionian Islands had elected, some years ago, to attach themselves to the

Sovereignty of Pius IX., the status of the Greek Church separate from Catholic Unity would have been tolerated and respected. Their Churches, their public worship, their Clergy, and their religious rites would have been left free as before. They were found in possession, which was confirmed by the tradition of centuries; they had acquired Civil rights, which enter into the laws of political justice, and as such would have been protected from all molestation.[1]

I have drawn this out, because a question absolutely chimerical has been raised to disturb the confidence of the English people in their Catholic fellow-countrymen. And I have given the reason and the principle upon which, if the Catholics were to-morrow the 'Imperial race' in these Kingdoms, they would not use political power to molest the divided and hereditary religious state of our people. We should not shut one of their Churches, or Colleges, or Schools. They would have the same liberties we

[1] Our older writers, such as Bellarmine and Suarez, when treating of this subject, had before their eyes a generation of men who all had been in the unity of the faith. Their separation therefore was formal and wilful. Their separation from the unity of the Church did not release the conscience from its jurisdiction. But if Bellarmine and Suarez were living at this day, they would have to treat of a question differing in all its moral conditions. What I have here laid down is founded upon the principles they taught, applied to our times. Cardinal Tarquini, in treating the same matter, has dealt with it as it has been treated here.—*Juris Eccl. Publ. Institutiones*, p. 78.

enjoy as a minority. I hope the Nonconformists of England are prepared to say the same. As we are in days when some are 'invited,' and some are 'expected,' and some are 'required' to speak out, I will ask my fellow-countrymen of all religious kinds to be as frank as I am.

XIII. I have now given, I hope, sufficient evidence to prove the assertion made in the second letter quoted at the outset of these pages; namely:—

> 'That the relations of the Catholic Church to the Civil Powers have been fixed immutably from the beginning, because they arise out of the Divine constitution of the Church and of the civil society of the natural order.'

And we have also seen how far from the truth are the confident assertions put forward lately, that the Church ascribes to its head Supreme Temporal as well as Supreme Spiritual Power.[1]

Further, we have seen with what strange want of reflection and of depth the Pontifical acts of the old Catholic world are transferred *per saltum* to a world which has ceased, in its public life and laws, to be Catholic, I may almost say, to be even Christian.

Finally, I have shown, I hope, what are the relations of the Church to the Civil Powers of the world; and I have given evidence to prove that those relations have been fixed from the beginning by

[1] *Expostulation, &c.* p. 27.

reason of the Divine constitution of the Church, and have been declared by Councils, not only before the Council of the Vatican, but before the Council of Trent; and, therefore, that to charge upon the Vatican Council a change in these relations is not only an assertion without proof, but an assertion contrary to historical fact.

CHAPTER III.

AGGRESSIONS OF THE CIVIL POWER.

MR. GLADSTONE says:—

'It is the peculiarity of Roman theology that, by thrusting itself into the temporal domain, it naturally, and even necessarily, comes to be a frequent theme of political discussion. To quiet-minded Roman Catholics it must be a subject of infinite annoyance that their religion is on this ground more than any other the subject of criticism; more than any other the occasion of conflicts with the State and of civil disquietude. I feel sincerely how much hardship their case entails, but this hardship is brought upon them altogether by the conduct of the authorities of their own Church.'[1]

His pamphlet from beginning to end bristles with the same accusations against the Catholic Church. His whole argument might be entitled, 'Reasons to show that in all Conflicts the Christian Church is always in the wrong, and the Civil State always in the right;' or, 'On the outrageous Claims'[2] and 'Exorbitances of Papal Assumptions,[3] contrasted with the Innocence and Infallibility of Civil States.' This seems to me to be history read upside down; and not history only, but also Christianity. I can hardly persuade

[1] *Vatican Decrees*, p. 9. [2] *Ibid.* p. 11. [3] *Ibid.* p. 25.

myself that Mr. Gladstone would contend that even in the Constitutions of Clarendon [1] St. Thomas of Canterbury was the aggressor, and Henry II. was within the law; or that either the Pope or Archbishop Langton began the conflict with the 'Papal minion John;' or, again, that in the question of Investitures and Ecclesiastical Simony, the Emperors of Germany were on the side of law and justice, and St. Gregory VII. and Innocent III. were aggressors. And yet all this is necessary to his argument. If he is not prepared to maintain this, the whole foundation is gone. But I do not know how any man who believes in the Divine office of the Christian Church can maintain such a thesis. And I have always believed that Mr. Gladstone does so believe the Christian Church to have a Divine office, which, within some limit at least, is independent of all human authority.

But as the contention before us is not of the past so much as of the present, I will come to the facts of the days in which we live.

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[1] Mr. Gladstone says, upon what evidence I do not know, 'The Constitutions of Clarendon, cursed from the Papal Throne, were the work of the English Bishops.' * St. Thomas himself says that 'Richard de Luci and Jocelin de Balliol, the abettors of the Royal tyranny, were the fabricators of those heretical pravities.'† Herbert of Bosham, who was present at Clarendon, says that they were the work of 'certain nobles (*proceres*) or chief-men of the kingdom.'‡ The Bishops were indeed terrified into submitting to them, but the Constitutions were in no sense their work.

* *Vatican Decrees*, pp. 57, 58. † *Ep. St. Thomæ*, tom. iii. p. 12, ed. Giles, 1845. ‡ *Vita St. Thomæ*, tom. vii. p. 115, ed. Giles.

My third proposition, then, is, that any collisions now existing between the Catholic Church and the States of Europe have been brought on by changes, not on the part of the Church, much less of the Vatican Council, but on the part of the Civil Powers, and that by reason of a systematic conspiracy against the Holy See. No one will ascribe to the Vatican Council the Revolution in Italy, the seizure of Rome in 1848, the invasion of the Roman State in 1860, the attacks of Garibaldi against Rome, ending with Mentana. And yet there are people who ascribe to the Vatican Council the breach at the Porta Pia, and the entry of the Italians into Rome. Such reasoners are proof against history, chronology, and logic. If anybody will persist in saying that the two and twenty years of aggression against the Holy See, from 1848 to 1870, were caused by Pius IX., I must address myself to other men. That Pius IX. has been in collision with those who attacked him is true enough. So is every man who defends his own house. Who, I ask, began the fray? From the Siccardi laws down to the laws of the Guarantees, who was the aggressor? But where the Pope is concerned logic seems to fail even in reasonable men. The other day Prince Von Bismarck told the Catholics of the Reichstag that they were accomplices of Kulmann, and therefore, as he implied, his assassins. Moreover, he affirmed that the war of France against Prussia was forced on the French Emperor by the Pope and the Jesuits. How providentially, then,

though altogether fortuitously, no doubt, had Prussia been for three years massing its munitions of war and putting France in the wrong by intrigues in Spain, and fables from Ems. Nevertheless, all these things are believed. Prince Von Bismarck has said them. But surely they belong to the Arabian Nights.

Now, I have already shown that, before the Vatican Council assembled, there was an opposition systematically organised to resist it. It was begun by certain Professors at Munich. The Munich Government lent itself as an agent to Dr. Döllinger, and endeavoured to draw the other Governments of Europe into a combined attempt to hinder or to intimidate the Council. And this was done on the plea that the Council would not be free. I well remember that at one time we were told in Rome, that if the Council persevered with the Definition of the Infallibility, the French troops would be withdrawn. That is to say, that the Garibaldians would be let in to make short work of the Definition. It was said that the presence of the French troops was an undue pressure on the freedom of the Council, and that their departure was essential to its true liberty. There was a grim irony amounting to humour in this solicitude for the liberty of the Council.

I will now trace out more fully the history of this conspiracy, in order to put beyond question my assertion that the plan of attack was prepared before the Council met, and that the Falck Laws are a

deliberate change made by the Civil Power of Prussia, the status of the Catholic Church in Germany being still unchanged.

I will here ask leave to repeat what I stated two years ago:—

'In the year 1869 it was already believed that the Bavarian Government, through Prince Hohenlohe, had begun a systematic agitation against the Council. It was known that he had addressed a circular note to the European Governments. But the text of that note was not, so far as I know, ever made public. I am able now to give the text in full. It affords abundant proof of the assertion here made, that a deliberate conspiracy against the Council was planned with great artifice and speciousness of matter and of language. Moreover, the date of this document shows how long before the opening of the Council this opposition was commenced. The Council was opened on December 8, 1869. Prince Hohenlohe's note is dated on the 9th of the April preceding, that is to say, about eight months before the Council began. It runs as follows:—

' "Monsieur,—It appears to be certain that the Council convoked by His Holiness Pope Pius IX. will meet in the month of December next. The number of prelates who will attend it from all parts of the world will be much greater than at any former Council. This fact alone will help to give to its decrees a great authority, such as belongs to an Œcumenical Council. Taking this circumstance into consideration, it appears to me indispensable for every government to give it their attention, and it is with this view that I am about to address to you some observations.

' "It is not probable that the Council will occupy itself

only with doctrines appertaining to pure theology; there does not exist at this moment any problem of this nature which requires a conciliar solution. The only dogmatic thesis which Rome would wish to have decided by the Council, and which the Jesuits in Italy and Germany are now agitating, is the question of the Infallibility of the Pope. It is evident that this pretension, elevated into a dogma, would go far beyond the purely spiritual sphere, and would become a question eminently political, as raising the power of the Sovereign Pontiff, even in temporal matters, over all the princes and peoples of Christendom. This doctrine, therefore, is of such a nature as to arouse the attention of all those Governments who rule over Catholic subjects.

'"There is a circumstance which increases still more the gravity of the situation. I learn that among the commissions delegated to prepare matter, which later on is to be submitted to the deliberations of the Council, there is one which is occupied only on mixed questions, affecting equally international law, politics, and canon law. All these preparations justify our believing that it is the fixed intention of the Holy See, or at least of a party at present powerful in Rome, to promulgate through the Council a series of decrees upon questions which are rather political than ecclesiastical. Add to this that the *Civiltà Cattolica*—a periodical conducted by the Jesuits, and bearing an official character through the brief of the Holy Father—has just demanded that the Council shall transform into conciliar decrees the condemnations of the Syllabus, published on December 8, 1864. Now, the articles of this encyclical being directed against principles which are the base of modern public life, such as we find it among all civilised nations, it follows that Governments are under the necessity of asking themselves if it is not

their duty to invite the serious consideration both of the Bishops who are their subjects, and of the future Council, to the sad consequences of such a premeditated and systematic overturning of the present relations between Church and State. It cannot, indeed, be denied that it is a matter of urgency for Governments to combine, for the purpose of protesting, either through their agents in Rome, or in some other way, against all decisions which the Council may promulgate without the concurrence of the representatives of the secular power, in questions which are at the same time of a political and religious nature.

'"I thought that the initiative in so important a matter should be taken by one of the great Powers; but not having as yet received any communication on this subject, I have thought it necessary to seek for a mutual understanding which will protect our common interests, and that without delay, seeing that the interval between this time and the meeting of the Council is so short. I therefore desire you to submit this matter to the Government to which you are accredited, and to ascertain the views and intentions of the Court of * * * in respect to the course which it deems advisable to follow. You will submit, for the approbation of M. * * *, the question whether it would not be advisable to fix beforehand the measures to be taken, if not jointly, at least identically, in order to enlighten the Holy See as to the attitude which the Governments of the Continent will assume in reference to the Œcumenical Council; or whether conferences composed of representatives of the States concerned would not be considered as the best means to bring about an understanding between their Governments.

'"I authorise you to leave a copy of this despatch with

the Minister for Foreign Affairs at * * * , if he desires it; and I wish you to inform me as early as possible of the manner in which this communication may be received.

'"I have the honour, etc.,

'"HOHENLOHE.

'"*Munich, April* 9, 1869."'

No one could fail to see that this Circular had not Prince Hohenlohe for its author. We shall hereafter trace it to its legitimate origin.

'The indiction of the Council was no sooner published than the well-known volume called *Janus* appeared. It was said to be the work of many hands, and of various nations—of two at least. The chief object of its animosity was Rome, and its detailed hostility was levelled against the Infallibility of the Roman Pontiff and the Syllabus. The book was elaborately acrimonious and extravagantly insolent against Rome. Its avowed aim was to rouse the Civil Governments against the Council. The Sovereign Pontiff had, with great wisdom and justice, dealt with the Governments of Europe on the ground chosen by themselves. They had renounced the Catholic relations of union hitherto subsisting between the Civil and Spiritual Powers. Pius IX. took them at their word. He convened the Spiritual Legislature of the Church; he did not invite those who have gloried in their separation from it. This, again, sharpened the jealousy and suspicion of the Governments. At this time came forth certain publications—to which I will not more explicitly refer—avowedly intended to excite the Civil Powers to active opposition.

'About the month of September 1869, as I have already said, a document containing five questions was proposed by the Bavarian Government to the Theological Faculty at Munich. No one could for a moment doubt by what hand

those interrogatories also were framed; they were intended to elicit the answer, that the action of the Council, if it were to define the Infallibility of the Roman Pontiff, would be irreconcilable not only with Catholic doctrine, but with the security of Civil Governments. In due time the answers appeared, leaving no doubt that both the questions and the replies were inspired by one mind, if not written by one and the same hand.

'We have already seen that Prince Hohenlohe, President of the Council and Minister of Foreign Affairs in Bavaria, addressed a letter to the French and other Catholic Governments, calling on them to interfere and to prevent the "fearful dangers" to which the Council would expose the modern world. Next, the Spanish Minister, Olozaga, hoped that the Council would not meet, or at least would "not approve, sanction, or ratify the Syllabus, which is in contradiction with modern civilisation." He then threatened the Church with the hostility of a league formed by the Governments of France, Italy, Portugal, Spain, and Bavaria. An Italian infidel then took up the game, and proposed an Anti-Œcumenical Council to meet at Naples. A French infidel was invited, who promised that his soul should be present, and said: "It is an efficacious and noble idea to assemble a council of ideas to oppose to the council of dogmas. I accept it. On the one side is theocratic obstinacy, on the other the human mind. The human mind is a divine mind, its rays on the earth, its star is above. . . . If I cannot go to Naples, nevertheless I shall be there. My soul will be there. I cry, Courage! and I squeeze your hand." The reader will forgive my repeating this trash, which is here inserted only to show how the liberals and infidels of Europe rose up at the instigation of Dr. Döllinger to meet the coming Council.

'About the month of June, in 1869, another despatch had been addressed by Prince Hohenlohe to the other Governments, inviting them to make common cause against the Council. It was extensively believed to be inspired by Prussia, the policy of which was thought to be, to put in contrast the liberty accorded to its own Catholic subjects in respect of the Council with the pedantic meddling of the Bavarian Government. At this time General Menabrea, under the same inspiration, addressed a circular to his diplomatic agents, proposing to the Powers to prevent the assembling of the Council, on the ground of their not having been invited to it. It was supposed at that time that this policy also was secretly supported by Berlin. A joint despatch was sent by Prince Hohenlohe and the Italian Government to the French Government, urging the withdrawal of the French troops from Rome during the Council, *to insure its freedom of deliberation*.'

These preparations to oppose the Council were made before it had assembled. It met on December 8, 1869. In the following January, Dr. Döllinger received the freedom of a German city, in reward for his attacks on the Holy See.

'When the well-known *postulatum* of the Bishops, asking that the definition of the Papal Infallibility should be proposed to the Council, was made public, Dr. Döllinger openly assailed it; and the French Minister of Foreign Affairs, Count Daru, addressed a letter to the Holy See with a view to prevent the definition. Rome was at that time full of rumours and threats that the protection of the French army would be withdrawn. I had personally an opportunity of knowing that these threats were not mere rumours.

'At the same moment, while France was attacking the definition of the Pope's Infallibility, the Protestant Chancellor of Austria, Count Von Beust, addressed himself to the Canons of the Schema published in the *Augsburg Gazette*, which he declared would "provoke deplorable conflicts between the Church and State." Every European Government from that time put a pressure more or less upon the Council to prevent the definition.

'The source of this opposition, then, was Munich. The chief agent, beyond all doubt, was one who in his earlier days had been greatly venerated in Germany and in England. Truth compels me to ascribe to Dr. Döllinger the initiative in this deplorable attempt to coerce the Holy See, and to overbear the liberty of the Bishops assembled in Council. Prince Hohenlohe is assuredly no theologian. The documents published by him came from another mind and hand. Such was the opposition before and during the Council.

'What I have hitherto said to prove the conspiracy of certain European Governments, and the intrigues of the Old Catholics against the Council, both before the assembling and during its sessions, would not have been needed if the *Diary of the Council* by Professor Friedrich had sooner come into my hands. I have been feeling in the dark for proofs which he brings to light by a series of astounding confessions. I had always believed in the conspiracy; but I never knew how systematic and how self-confident it was. I had always known that the Gnostic vain-glory of German scientific historians was its chief instigator; but I never before imagined the stupendous conceit or the malevolent pride of its professors. A critique of Professor Friedrich's Diary, by some strong German hand, has appeared lately in one of our journals, and I cannot refrain from giving certain passages in final confirmation of what I have said above.

'And first as to the Governments. Professor Friedrich puts into the mouth of a diplomatist the following words: "The means by which the greatest amount of influence might be brought to bear on the Council would be a determined and plain manifestation of the public opinion of Europe in favour of the minority. Clearly the *Curia* could not prevent this; and it would add strength and numbers to the opposition, by giving it the assurance that, if at the last moment it found itself obliged to protest and appeal to the nation, the Governments and all intelligent laymen would support it. This measure would also secure 'weak and doubtful Bishops'" (*Diary*, p. 184). On the 26th of December, 1869, Friedrich wrote, "That he was considered by many persons to be residing in Rome as the representative of an approaching schism, if the majority obtained the upper hand in the Council" (p. 41). He says in another place: "It would not be the first time in the history of the Church that a schism had broken out. Church history recounts many such, besides that of the Greeks" (p. 196). The critic of Professor Friedrich's book writes as follows: "The alliance between 'German science' and diplomacy was not productive of all the results which at first had been looked for. Friedrich expresses himself very bitterly on this point; nevertheless he endeavoured all the more to excite German science to fresh efforts." Under date of the 27th of March (p. 202) he writes: "The Governments are by degrees acting an almost ridiculous part towards the Council—first boasts; then embarrassment connected with meaningless threats; and at last the confession that the right time has passed by, and that the Curia has command of the situation. If German science had not saved its position, and been able to establish a firm opposition in the Council, even in contradiction to its own will, and kept it alive; and if our Lord God had not also set stupidity and ignorance on the side of the

Curia and of the majority, the Governments would have been put to shame in the sight of the whole world. Prince Hohenlohe, in fact, is the only statesman possessed of a deeper insight in this question, and by degrees he has come to be looked upon as belonging to the minority."

'Of all the foreign sources from which the English newspapers drew their inspiration, the chief perhaps was the *Augsburg Gazette*. This paper has many titles to special consideration. The infamous matter of Janus first appeared in it under the form of articles. During the Council it had in Rome at least one English contributor. Its letters on the Council have been translated into English, and published by a Protestant bookseller in a volume by Quirinus.'

A distinguished bishop of Germany, one of the minority opposed to the definition, whose cause the *Augsburg Gazette* professed to serve, delivered at the time his judgment on Janus, and the letters on the Council.

'Bishop Von Ketteler of Mainz publicly protested against "the systematic dishonesty of the correspondent of the *Augsburg Gazette*." "It is a pure invention," he adds, "that the Bishops named in that journal declared that Döllinger represented, as to the substance of the question (of Infallibility), the opinions of a majority of the German Bishops." And this, he said, "is not an isolated error, but part of a system which consists in the daring attempt to publish false news, with the object of deceiving the German public, according to a plan concerted beforehand." . . . . "It will be necessary one day to expose in all their naked-

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[1] Preface to Vol. III. *Sermons on Ecclesiastical Subjects*, p. xxv. &c.

ness and abject mendacity the articles of the *Augsburg Gazette*. They will present a formidable and lasting testimony to the extent of injustice of which party-men, who affect the semblance of superior education, have been guilty against the Church." Again, at a later date, the Bishop of Mainz found it necessary to address to his diocese another public protest against the inventions of the *Augsburg Gazette*. "The *Augsburg Gazette*," he says, "hardly ever pronounces my name without appending to it a falsehood." . . . "It would have been easy for us to prove that every Roman letter of the *Augsburg Gazette* contains gross perversions and untruths. Whoever is conversant with the state of things here, and reads these letters, cannot doubt an instant that these errors are voluntary, and are part of a concerted system designed to deceive the public. If time fails me to correct publicly this uninterrupted series of falsehoods, it is impossible for me to keep silence when an attempt is made with so much perfidy to misrepresent my own convictions."

'Again, Bishop Hefele, commenting on the Roman correspondents of the *Augsburg Gazette*, says: "It is evident that there are people not bishops, but having relations with the Council, who are not restrained by duty and conscience." We had reason to believe that the names of these people, both German and English, were well known to us.

'Now the testimony of the Bishop of Mainz, as to the falsehoods of these correspondents respecting Rome and Germany, I can confirm by my testimony as to their treatment of matters relating to Rome and England. I do not think there is a mention of my own name without, as the Bishop of Mainz says, the appendage of a falsehood. The whole tissue of the correspondence is false.'[1]

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[1] *Petri Priv.* part iii. pp. 4–7.

I have quoted all this to show the small chance the people of England had of knowing the truth as to the state and acts of the Council, and also how systematic was the opposition organised against it in Germany.

After the suspension of the Council, the action of this conspiracy, hitherto secret, became open. Dr. Von Döllinger and certain Professors openly rejected the Vatican Council, accusing it of innovation. They therefore either took, or were called by, the name of 'Old Catholics.' This schism has never been in one stay. Its development has had three progressive stages. At first the Old Catholics professed to hold by the Council of Trent, and to reject only the Council of the Vatican. As such they claimed to be recognised by the Prussian law. But next, at a meeting at Augsburg, a large infusion of German Rationalists compelled them to enlarge their comprehension, and to include those who rejected most of the doctrines of the Council of Trent.

Lastly, at Cologne and Bonn, they received the accession of Anglicans, American Episcopalians, Greeks, and various Protestants.

The Old Catholic schism, therefore, has lost its meaning and its character, and has become a body without distinctive creed. Dr. Von Döllinger, at Bonn, last September, declared (if the report be correct) that Old Catholics are not bound by the Council of Trent.

In the sphere of theology and religion the movement is already paralysed, and has no future; but in the sphere of politics it has a great power of mischief. I have already shown how the first acts of the diplomatic and political hostility to the Council began at Munich. There can be little doubt that it reached Berlin through the Circular of Prince Hohenlohe, the present German Ambassador at Paris. The Berlin Government supported the Old Catholic Professors who rejected the Vatican Decrees, on the plea that the Council of Trent was known to the law in Prussia, but that the Council of the Vatican was not known to it. It was *exlex*. Therefore the Government recognised the legal status of the Old Catholics who held to the Council of Trent. How they will still recognise them as Old Catholics, now that they have rejected the Council of Trent at Bonn, it is not so easy to say. However, Dr. Reinkens was consecrated Bishop by a Jansenist Prelate, and received from the Berlin Government both legal recognition and a good salary. We shall see hereafter that the Government would thereby try to tempt the Catholic Clergy to its friendship, and to use the 'Old Catholic' schism as a weapon against the Catholic Church. The 'Old Catholic' schism has an attraction for certain minds in which there is a strong hankering after the Catholic Church without the courage to suffer for the truth's sake. An attempt, we have been told, was made to set up an 'Old Catholic' Church in London, but it met with little encouragement.

There is not a doubt that the Berlin Government aims at changing all the Catholics in Germany into Old Catholics.

The Old Catholics, in their appeal to the Civil Power, are doing what the Arians did after the Council of Nicæa. They have been, and they will be, the instigators of persecution against the Catholic Church. But they are blindly doing God's will. When the Church has been purified, their place will know them no more.

To return to the politicians and diplomatists. What was believed as to the conspiracy at Munich before the Council met has since been confirmed by the letters of Count Arnim, which ascribe his own action to the instigation of Dr. Döllinger. The Berlin Correspondent of the *Daily Telegraph*,[1] after noticing the discrepancy between the despatch of Count Arnim, published by Prince Bismarck, and his 'Pro Memoria,' which appeared in the *Vienna Presse*—the first 'treating the dogma of Infallibility as a mere theological dissertation,' and the second, 'seeing in it an event that must overthrow Catholicism and the peace of Catholic States'—proceeds to explain the contradiction thus:—

'When Prince Hohenlohe, as leader of Bavarian foreign affairs, sent his well-known Circular to different Powers, explaining the dangers of that dogma, the German Chancellor applied to Count Arnim, who answered that the Bavarian Minister exaggerated the danger, being influenced

[1] *Tablet Newspaper*, Oct. 31, 1874, p. 546.

by Döllinger. After this answer was sent to Berlin, Count von Arnim went on his holidays, and in passing Munich visited Prince Hohenlohe. There they spoke about Infallibility, *and Prince Hohenlohe acknowledged that the Circular was written under Döllinger's inspiration.* The Prince asked the Count to visit Döllinger, which he did. Döllinger convincingly explained to Arnim the importance of the dogma; and, on his return, Arnim tried everything to prevent the result of the Council by repeatedly advising Prince Bismarck to interfere; so the change, in Arnim's opinion, must be traced to Döllinger.'

Before we enter upon the present conflict in Germany, so carelessly touched and dismissed by Mr. Gladstone, it is necessary to record the fact that, in the year 1849, the 15th Article of the German Constitution affirmed, that 'Every religious Society shall order and manage its own affairs independently, but shall remain subject to the general power of the State.' The Prussian Constitution also recognised this independence. Such was the law until 1872. Under this law the Catholics were loyal, peaceful, and of unimpeachable allegiance to the State. They served it in peace; they fought for it in war. They helped to found the Empire in their blood. Who made the change? The Government of Berlin. The laws of 1849 have been violated, and a series of laws, which I will hereafter describe, have been forced upon the Catholics of Prussia. The conflict was thus begun, not by the Catholics nor by the Church, but by the Civil Power. Prince Von Bismarck is so conscious of this

fact, that he has spared no accusation, how wild soever, against the Catholics to disguise and to mask it. The laws resisted now by the Bishops and Catholics of Prussia are not the old laws of their country, but innovations, intolerable to conscience, newly introduced, and inflicted upon them by the fine and imprisonment of five Bishops and 1,400, it is even said 1,700, clergy. Surely the day is past when anyone believes that the Falck Laws were caused by the Vatican Council. The French war was scarcely ended when Prince Von Bismarck accused the Catholics of Germany of disloyalty and conspiracy against the Empire. They had not even had time to be disloyal or to conspire. The Catholic blood shed in the war was not yet dry. He said then, as he said the other day, that he had secret evidence. Not a particle has ever been produced. For a time Englishmen were perplexed. They did not know what to believe. They could not conceive that Prince Von Bismarck would make such charges without evidence; but, little by little, the truth has come out. The Old Catholic conspiracy has been laid open to the world. The manly and inflexible constancy of the Catholic Bishops, Priests, and people of Germany has roused the attention of Englishmen, and they have come to know that no body of men were more gladly loyal to the Prussian Government than the Catholic on the basis of the laws of their country from 1848 to 1872; that no change what oever, by a

jot or tittle, was made on their part; that, on the part of Government, a new and elaborate legislation, anti-Catholic and intolerable to conscience, was introduced in 1872. The whole innovation was on the part of Government. The new laws excluded the Clergy from the schools; banished the religious orders; made Government consent necessary to the nomination of a Parish Priest; fined and imprisoned Bishops for the exercise of their Spiritual office; subjected to the State the education of the Clergy, even to the examination for orders; and established a final tribunal of Ecclesiastical appeal in Berlin. And yet men were found who had still the hardihood to say that the Church had begun the conflict. At last, Dr. Friedberg, Professor of Law at Leipsic, and one of the chief advisers of Government in its Ecclesiastical policy, let out the real cause. With an incautious candour he has told us the truth.

I will take the account of Dr. Friedberg's book, 'The German Empire and the Catholic Church,' from a pamphlet of the Bishop of Mayence, entitled, 'The New Prussian Bills on the Position of the Church in reference to the State.'[1]

Bishop Ketteler begins by asking, 'What could prompt the Liberal party to denounce as Ultramontane presumption, and as a surrender of the essential

[1] A translation made in Germany has been published by Messrs. Burns & Oates, 17 Portman Street.

rights of the State, that which, in the years 1848–1850, it had acknowledged as the necessary "consequence of its own principles"' (p. 9)?

Bishop Ketteler answers, 'The true reason of the thorough systematic change of the Liberal party, as well as of all those measures aimed against the lawful rights of the Church, is "the spiritual power of the Church based upon the foundation of freedom"' (p. 11).

He then quotes an Address of Dr. Friedberg, in which he says, 'The Doctrinaires will still tell us that the all-sufficient remedy of this is the separation of the Church from the State; but, on the contrary, under actual circumstances, this would be a very injurious measure, *for the Church has become too much united to the people.*'

He then shows that wherever the Church is free, as in the United States, it is powerful, because it is the Church of the people. 'What would be the consequence,' he asks, 'with us if the Church were freed from the control of the State?' 'On the contrary,' says Dr. Friedberg, 'as the whole question has become now *one of main force*, the State must go so far as to deprive the Church of her influence over the people, in order that its own power may be firmly established' (pp. 10, 11).

Dr. Newman, more than thirty years ago, said that Governments establish and endow Churches as people cut the wings of magpies, that they may hop upon the lawn and pick up worms. 'Liberals love a tame Church.'

I quote this in answer to those who have been taunting the German Bishops with complaining of persecution and of yet holding to their legal status: Pharaoh has taught all oppressors 'not to let the people go.'

'Our crime as endangering the State,' says Bishop Ketteler, 'consists in this — that wheresoever the people and the Church are free, the people turn to the Church, and not to the doctrines of the Liberal party' (p. 13).

'Here we have the whole undisguised truth. To separate the Christian people from the Church, to deprive it of freedom, to subjugate it by force to Liberal Statecraft and human wisdom, thus reducing it to a Liberal State-religion—this is the triumph of modern science and knowledge which Liberalism and its professors offer to the German people' (p. 14).

Bishop Ketteler then goes on to give Dr. Friedberg's argument: 'The Protestant Church is, at this day, *an essential political agent*—solely by its opposition to Catholicism.'

Dr. Von Holzendorff says of the Protestant Church, that 'it has no intellectual unity, because a short-sighted orthodoxy has sown and fostered indifference towards the Church; and also from the fact that the Protestant Church did not create a constitution suited to its own spirit. Who could count upon the High Consistory Court of Berlin outliving for a day the separation of the Church from the State?

or that the fiercest party strife would not break it up into sects? But what an opportunity for the compact mass of the Catholic Church as opposed to these dismembered elements,' &c.[1] This lets in light.

Bishop Ketteler then sums up: 'These confessions of a pretended Liberal deserve notice.

'First, the Protestant Church is "an essential political agent," and especially so by her opposition to Catholicism.

'Secondly, the Protestant Church cannot endure freedom and independence. "After separation from the State it would be 'dismembered.' The High Consistory of Berlin would scarcely survive a day."

'Thirdly, out of these dismembered elements an increase would fall to the Catholic Church. Principles truly Liberal. No longer shall the power of truth under the protection of equal freedom decide between the different creeds. In the hands of the Liberals the Protestant Church is to become a "political agent," "a tool of the State," to fight against Catholicism. Even liberty of conscience on the part of the people is to be destroyed to avert the danger of their turning to the Catholic Church.

'Lastly, Dr. Friedberg refused to separate the Church from the State, because it would be "a severity and an injustice," forsooth, to the Old Catholics. If

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[1] *Year-Book of the German Empire.* By Dr. F. von Holzendorff, Leipzig, p. 478, 1872.

the Church were set free, the Government would lose "an immediate support and a *co-operation so necessary* to the State for *the internal reform of the Church.*"'

The Bishop then sums up as follows:—The Government has changed its relations to the Catholic Church, 'not because the Catholic Church is dangerous to the State, nor because it is hostile to the Empire, nor because it will overbear the State; these are not the motives, though they are daily expressed in Parliament and in the press by the Liberal party, to show that the Catholic Church must be robbed of her liberty, but because the German people must be torn away by force from the Church; and in order to attain this end, the Protestant State Church and the "Old Catholics" are to be used as weapons to fight the Catholic Church, and to destroy it internally,' &c. (p. 17).

Such is the end and aim: now for the means. Dr. Friedberg says, 'One must first attempt to draw off the waters carefully, letting them flow into other channels, and conducting them into reservoirs; what remains will then be easily absorbed into the air' (p. 19). In other words, dry up the Church; draw from it all intellectual, moral, and spiritual influence over the people; paralyse the action of its Pastors; substitute Bureaus, Registrars, Professors, State Teachers, and State Officials; make its worship a State Ritualism, a ceremonial of subjective feelings, not of objective Truth. This done, religion will soon

evaporate. The sum of all, Bishop Ketteler says, is that

'The State will regard the Church as a historical established institution, which may be very useful to the State by fulfilling its peculiar and necessary mission for the civilisation of the German people, but which, on the other hand, may become dangerous to the State, and has become so.

'For the first reason the Church shall be not only tolerated but also be authorised by the State. For the second reason, it is to be rendered harmless.'

'This will dry up the stream, and the rest will evaporate.'

After this I think even an English Nonconformist would read the *Unam Sanctam* with new eyes.

Now, the proximate means of accomplishing this draining of the Pontine Marshes is 'the inward and outward release' of the Clergy from all dependence on powers 'outside our nation,' and 'strangers to our national consciousness;' that is to say, a spiritual blockade against the Church throughout the world, or 'our German consciousness' against Christianity.

The inward release of the Clergy is to be effected 'through their education' (pp. 29, 30). Their education is to be as follows:—

1. Every Priest is to go through an examination at a German College.
2. He is to study Theology for three years in a German *State University*.

All independent seminaries and religious colleges for boys are interdicted.

3. He is finally to be examined in the presence of a Commissary of the Government.
4. The State has the superior direction of all instruction of the Clergy.
5. It fixes the method of their teaching.
6. It decides the qualification of their teachers.

The Bishop is to be, in all these relations, dependent on the State; the State forms the Catholic Clergy to its own fashion; and the Bishop has only to receive them and to give them cure of souls.

The Bishop of Mayence justly says: 'A Clergy inwardly deprived of faith, falling under the bondage of unbelief and the spirit of the times, would, no doubt, become the perfect ideal of national education' (pp. 35, 36).

Next for the 'outward release' of the Clergy.

First it means that the State will regulate the appointment and deposition, and the correctional discipline of the Clergy by local Civil authorities, and partly by a Supreme Royal court for Clerical affairs.

The Clergy are therefore perfectly released:

First, from the jurisdiction of the Head of the Church.

Secondly, from the jurisdiction of their own Bishops.

The effect of this release is:

First, that any fit and worthy Priest may be kept out of the cure of souls and all spiritual offices by the veto of the State.

Second, that any unfit or unworthy, any immoral or heretical, Priest may be supported in defiance of his Bishop, to the scandal of the Church and the perdition of Souls.

An unlimited veto is an unlimited right of patronage.

What kind of man will grow up out of the soil of State Universities, and under the sun of State Patronage?

What Priest of fidelity to the Church and of personal dignity of character will sell or lend himself to such a despotism?

We have read lately a little too much of the 'pliancy and servility' and 'degradation' of the Catholic Episcopate. What is the ideal of a Bishop in those who assail the Vatican Council and sympathise with the Old Catholics? By these laws the Clergy and Bishops are *liberated* or released from the foreign oppression of Rome. The Pope cannot suspend one of them. But the Royal Court may depose them all. Is Dr. Reinkens, with his sixteen thousand thalers a year, under the Falck Laws, independent, high-minded, and manly? Is the Archbishop of Posen, in his prison, pliant, servile, and degraded? This seems to me to 'put light for darkness, and dark-

ness for light.' It would be an anxious sign of our time and state if an inverted moral sense should grow upon us.

The Bishop of Mayence finally sums up this external release of their Clergy as follows:

These laws amount to—

1. Separation of the Church in Germany from Rome.
2. Annihilation of the powers of the Bishops.
3. The breaking up of all authority and discipline over the Clergy and people.
4. Unlimited control of the State over the Clergy, and over religion.
5. Universal moral corruption of the whole Church.
6. Introduction and encouragement of every form of error contrary to faith and to Christianity among the teachers.
7. Loss of Christian faith among the people.

The Bishop then protests against these laws as—

'A violation of all Christian liberties, and of all Constitutional rights; as an attempt to force on the Catholic Church the Royal Supremacy of the Protestant Reformation; as a violation of the Divine constitution and authority of the Catholic Church; and, finally, as leading men back again into the Cæsarism of the Pagan world, in which the temporal and spiritual sovereignty were united in one person. The separation of the two powers which the Divine Founder of Christianity has introduced for the protection of the liberties of human life in faith, conscience and religion, would be once more extinguished in Germany. It would then be easy to overthrow, one after another, the other safeguards of the freedom of the people. The army,

the official State press, or State school, or State Church, all united together would transplant the old despotism of the Pagans to German soil' (p. 49).

He concludes in these words:—

'Finally, these laws are in their whole substance revolutionary, and a denial of the historical positive development of the rights, and an uprooting of all the constitutional privileges, of the people. They will bring about a conflict with the Catholic Church, with its essential constitution and its doctrines; they attempt to force upon the Catholic Church a constitution similar to that of the Protestant Church. By placing all earthly power in the hands of one man they introduce the system of the heathen despotism into Germany.

'May God guard our German Fatherland from the disastrous consequences of such laws.'

Before this noble protest was published these Bills became law. I hope no Englishman will now say that the conflict in Germany was brought on by the Church. The pretext of Vatican Council is as transparently false as the plea of the wolf against the lamb. Such, then, are the Falck Laws; and I have read no part of Mr. Gladstone's 'Expostulation' with more sadness than the following words:—

'I am not competent to give any opinion upon the particulars of that struggle. The institutions of Germany, and the relative estimate of State power and individual freedom, are materially different from ours.'[1]

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[1] *The Vatican Decrees, &c.* p. 48.

Are faith and conscience 'institutions' to be 'estimated' 'relatively'? Is religious freedom, to the vindication of which Mr. Gladstone has given a long public life, a matter to be measured by geographical or political conditions? I do not recognise this voice.

It may, I think, with safety be affirmed, that in the lamentable conflict now waging in Germany, the Berlin Government, urged on by the conspiracy of the 'Old Catholics,' aided, no doubt, at a later stage, by the pseudo-Liberals of Prussia, has been the aggressor.

The same could be abundantly proved in respect to the persecution of the Church in Switzerland. I have before me full and authentic evidence of the aggression of the Cantonal Governments of Bâle, Soleure, and Berne and others. But I will not prolong this chapter by a recital. The proof will be found in the Appendix C.

It would be as easy also to show that in Brazil the Government was the aggressor. The Bishop of Olinda is at this moment in penal servitude, for refusing religious rites at the burial of an excommunicated person.

This will, I hope, be deemed a sufficient proof of my third proposition, which in sum is this, that the present collisions between the Civil and Spiritual Powers have not been caused by the Church. There is everywhere a party aiming at the subversion of

Christianity. The great barrier in their way is the Catholic Church. They are now openly conspiring for its overthrow.

In England our old craters are extinct and the mountains are quiet. Such a conflict has, happily, not yet been rekindled among us. No change on the part of the Catholic Church, of a kind to provoke such a conflict, either has been or will be made. The declining to accept a scheme of education based on principles dangerous to Catholic Faith is certainly no such cause. To reject a tempting gift is no aggression. If we are again to be distracted by religious conflicts, the responsibility will rest undividedly upon the head of anyone who shall break our present public confidence and peace. And that misdeed would be indelibly written in our history.

CHAPTER IV.

TRUE AND FALSE PROGRESS.

I WILL now go on to the fourth proposition—that by these collisions with the Church the Civil Powers everywhere are at this time destroying the first principle of their own stability.

Mr. Gladstone has represented me as saying that the civil order of all Christendom is the offspring of the Temporal Power, and has the Temporal Power for its keystone; that on the destruction of the Temporal Power "the laws of nations would at once fall in ruins."'

Understood as I wrote these words I fully affirm them; understood as they may be in this garbled form, they have an exaggeration which is not mine. I was speaking strictly of the Temporal Power of the Pope over his own State: whereby, as a King among Kings, he sustained the Christian character of Sovereignty. I was not speaking of Temporal power over the Temporal Government of Princes. And I was speaking in defence at a time when every journal in the country, with hardly an exception, was day after day assailing, and I must add misrepresenting, the origin and office of the Temporal Government of the Pope. My own words were as follows:—

'Now, the last point on which I will dwell is this: that as the Church of God has created—and that specially through the action of the Supreme Pontiffs in their civil mission to the world—this vast and fair fabric of Christian Europe, so it has perpetually sustained it. I ask, what has given it coherence? What is it that has kept alive the governing principle among men, but that pure faith or knowledge of God which has gone forth from the Holy See, and has filled the whole circumference of Christendom? What has bound men together in the respect due to mutual rights, but that pure morality which was delivered to the Church to guard, and of which the Holy See is the supreme interpreter? These two streams—which, as St. Cyprian says in his treatise on the unity of the Church, are like the rays that flow from the sun, or like the streams that rise and break from the fountain—illuminated and inundated the whole Christian world. Now, I ask, what has preserved this in security, but the infallibility of the Church of God vested chiefly and finally in the person of the Vicar of Jesus Christ? It will rather belong to the next lecture to note how, by contrast, this may be proved, and how those nations, which have separated themselves from the unity of the Catholic Church, and therefore are in opposition to the temporal sovereignty of Rome, have lost these two great principles of their preservation. I ask, then, what has preserved Christian Europe, but the principle of obedience—the precept of submission, which has been taught throughout the whole of its circuit by the Church of God, especially through the mouths of its Pontiffs? By them subjects have been taught obedience and rulers have learned justice. What, I ask, has limited monarchy? What has made monarchy a free institution, and supreme power compatible with the personal liberty of the people, but the

limitations which the Holy See, acting through its Pontiffs, has imposed upon the Princes of the world? Does anybody doubt these two propositions? To them I would say, the Pontiffs, with their temporal power, have been accused of despotism; at least, then, let us give them the credit of having taught the people to submit. They have been also accused of tyranny over Princes; at least let us give them the honour of having taught Kings that their power is limited. The dread chimera at which the English people especially stands in awe,—the deposing power of the Pope,—what was it but that supreme arbitration, whereby the highest power in the world, the Vicar of the Incarnate Son of God, anointed high-priest and supreme temporal ruler (i.e. as Sovereign in his own State), sat in his tribunal impartially to judge between nation and nation, between people and prince, between sovereign and subject? The deposing power grew up by the providential action of God in the world, teaching subjects obedience and princes clemency.

'Now, in this twofold power of the Popes, which has been, I may say, the centre of the diplomacy of Christian Europe, we see the sacerdotal and royal powers vested in one person, the two powers of king and priest, which are the two conservative principles of the Christian world. All Christian kings and all Christian priests stand related to the one person who bears in fulness that twofold character; and it is by adherence to that one person as the centre of the civil and spiritual system, which grew up under his hand, that Christian Europe is preserved. I should say further, that, vast and solid as Christendom may seem, like a vault of stone, the temporal power of the Pope is the keystone; strike it out, and the family of nations would at once fall in ruins.'[1]

[1] *Temporal Power of the Popes*, lecture ii. pp 44–47. (Burns, 1862.)

In the very same chapter from which Mr. Gladstone has quoted, at page 46, the following statements occur at pages 32 and 33 :—

(1) 'Our Divine Lord committed to His Church and to His Vicar—the head on earth of that Church—His *Spiritual* sovereignty, reserving to Himself His *Temporal* or providential sovereignty. . . . Therefore the *Spiritual sovereignty* of the Church is a Divine institution, and has a power *directly* ordained of God. (2) There are other powers in the world which are indirectly ordained of God—viz. all temporal sovereignties. . . . . (3) By an indirect but Divine providence our Divine Lord has liberated His Vicar upon earth, in the plenitude of His Spiritual sovereignty, from all civil subjection. . . . (4) By the same Providence—indirect, indeed, but nevertheless Divine—our Lord clothed His Vicar with the possession of a patrimony. . . . . (5) Upon the basis of this temporal possession our Lord has raised a temporal power by His indirect operation, and therefore the temporal power of the Pope is a Divine ordinance, having a Divine sanction, at least equally with every other sovereignty in the world.'[1] It may not be amiss to add, lest it should be thought that this statement is merely a private opinion, that the text from which I quote was translated into Italian, in Rome, in 1862, was examined by the censorship, and printed at the Propaganda press.

[1] *Temporal Power of the Popes*, pp. 32, 33.

This is still my unchanged belief, confirmed by the twelve years since these words were spoken, and by the shattered state of Christian Europe in 1875. Now I am not afraid of defending the condensed statement of Donoso Cortes: 'The history of Civilisation is the history of Christianity; the history of Christianity is the history of the Church; the history of the Church is the history of the Pontiffs.' St. Augustine's work *De Civitate Dei* is enough to prove that the civilisation of the old world had run itself out by incurable corruption, and that the civilisation of the modern world is the new creation of Christianity. Two other witnesses would also prove this: St. Paul in his first chapter to the Romans, and Dr. Döllinger in his work on 'The Jewish and the Gentile Nations.' I am indeed one of those who still believe that we owe Christian homes to Christian marriage, that we owe Christian men to Christian homes, that we owe Christian nations to Christian men, and that the transmission of national Christianity depends on Christian education. We owe, therefore, the civilisation of Europe to Christian nations, and we owe the whole, not to 'modern thought,' but to Christianity.

Moreover, I know of no agent by which Christianity was thus brought to bear upon mankind but the Christian Church; and, lastly, the heads of the Christian Church were the chief legislators, guides, judges, and protectors of this Christian

civilisation. I cannot think that Mr. Gladstone would deny this, or that we have read history, all this while, in an inverted sense.

But there is another sense in which the Temporal Power of the Popes—that is, their local sovereignty—has in an especial manner created modern Europe. To them and to the Civil Government of the Patrimonies of the Church, when the Byzantine Empire had ceased to protect the West, may be ascribed the Christendom of which Charlemagne was the first Temporal Head. From that germ the Christian civilisation of Europe has been propagated by Christian marriage, Christian education, and Christian faith. Until 'Luther's mighty trumpet' was blown it was bound together by unity of faith, unity of worship, and unity of jurisdiction under one Head, and that Head united in himself the twofold character of Christian Pontiff and Christian King. Luther's blast has brought this down at last. First, by regalism in Protestant nations; and, secondly, by revolution in Catholic states. The principles of 1789 are Lutheranism applied to politics. We have already reached the time of civil marriage, of secular education, and of States in their public life without Christianity. But let us not think that we have reached our place of rest. Luther's blast, I fear, has yet more to do. Faith is dying out of the public life and action of all Governments. There is hardly a Catholic or a Christian Government left. The people they govern are divided in religion,

and 'the religious difficulty' forces them to become simply secular in legislation and in action. So long as there was a Christian world, the Head of the Christian Church was recognised as the Vicar of a Divine Master, and had a Temporal Power among Christian Sovereigns, and a sovereignty of his own; but now that the nations have become secular, and no longer recognise his sacred office, his direction in temporal things is rejected by their rejection of faith. I am not arguing or lamenting, but explaining our actual state. And what is now the state and condition of the Christian world? Where are the Christian laws which formed it in the beginning? I was not far wrong in saying that the Temporal Power of the Head of the Christian Church was the keystone of a world which has crumbled from its Christian unity into a dismembered array of secular and conflicting nations, of armed camps and retarded maturity. And it is with this 'progress and modern civilisation that the Roman Pontiff is invited to conform and to reconcile himself.' This is the sum and exposition of 'modern thought,' save only that it omits the Agnostic theology *De Deo non existente*, and the anthropology of Apes. Mr. Gladstone quotes this condemned proposition, recited in the Syllabus, as a *gravamen* against the Pope and the Catholics of these kingdoms. We have no desire to see the Christian Commonwealth of England decompose before our eyes under Luther's blast. We are content with the English Monarchy, founded and

consolidated by our Catholic forefathers ; and with our English Constitution, of which the solid and unshaken base and the dominant constructive lines are Christian and Catholic. We Englishmen were once perfectly one in faith. Luther's blast has given us nearly three hundred years of penal laws, bitter contentions, a 'bloody reign of Mary,' a relentless shower, indeed, between two seas of blood, in the reigns of her father and her sister; and when these horrors relaxed, streams of blood still flowed on for another hundred years. For nearly three centuries we have been divided in politics, because politics were mixed up with religion. Our Legislature teemed with penal laws such as the world had never seen, and that against nearly a half of the English population. We were weakened because we were divided; haunted by suspicions of conspiracy, and scared by fancied dangers, because we were consciously doing wrong, as Prussia is at this day. But now for fifty years we have had peace, because we have common interests, and a solid common weal. The three Kingdoms are without anxiety and without fear. And why? Because we have eliminated religious conflicts from our Legislation, because we have learned to be just, because we have learned also that the Civil Ruler may punish what men do, but not what men think, unless they issue in acts against the State. All men, so far as conscience and faith extend, are now equal before the law. No man is molested for his religion. Although this is

not the golden age of unity in truth, which the Christian Church once created and Pius IX. declares to be the only civilisation and the only progress to which he can conform himself, though he tolerates what he cannot cure; nevertheless, it is a silver age in which we can peacefully accept what we cannot either justify as the will of God, or extol as the normal state of the Christian world. In our shattered state of religious belief and worship there is no way of solid civil peace, but in leaving all men free in their amplest liberty of faith. It is because this is vital to our welfare as an Empire, and because, as it seems to me, the late sudden and needless aggression on the Catholic religion is dangerous to the social and political tranquillity of these Kingdoms, that I have pointed to Germany, as a warning. A monarchy of a thousand years is a majestic thing in this modern world of fleeting dynasties and of chronic revolutions. We possess a royal lineage the least broken and the most closely united to the people that the world has ever seen, save one. The line of Pontiffs ruled before the crowned heads of to-day came into existence. It has been the vital chord of the Christian people of the world. Next after the line of Pontiffs, there is nothing in history more time-honoured or grander than the Monarchy of Alfred, which reigns to this day. Does Mr. Gladstone think that the Vatican Council binds me to desire its overthrow? Next to seeing again the laws and the faith of good King Edward restored

throughout the land, we desire to see the Sovereign of England reigning by equal laws over a people united at least in everything that is right and just and lawful in this world, if indeed they must still be in higher laws and truths divided.

One thing is most certain, Catholics will never lend so much as a finger or a vote to overturn by political action the Christianity which still lingers in our public laws. They will cherish all of it that remains in our popular education. If we could see the tradition of our national Christianity healed of its wounds and taken up into the full life and unity of perfect faith by the spiritual forces of conviction and of persuasion, as that supernatural unity was created in the beginning, we should rejoice with thanksgiving; but no Catholic will diminish by a shade the Christianity which still survives. We cannot, indeed, co-operate by any direct action to uphold what we believe to be erroneous; but it will find no political hostility in us. They who wish its overthrow would pull it down not for what we think erroneous in it, but for what is true; and what is true in it we revere as the truth of God. In our divided religious state the public revenues, once paid into the treasury, have passed beyond the individual conscience. Thenceforward they fall under the impartial administration of our mixed commonwealth. I am not responsible for the application of them. My conscience is not touched if public revenues are given to a Presbyterian or to a Baptist School. My conscience

is not ill at ease even if grants are made to a school in which no religion at all is taught. A people divided in religion pays its taxes, and a Parliament divided in religion votes the public money by an equitable balance for our manifold uses in the midst of our manifold divisions. No one has a right to control this mixed administration to satisfy his private conscience, or to claim to have it all his own way. No Secularist can regard my schools with more aversion than I regard his; but I am passive when he receives his share of the public money. I trust the day will never come when any one section or sect among us shall gain a domination over the equities which render tolerable our divided state. I hope no Puritans will rise up again to do in England, by the help of Secularists and unbelievers, what they did in Maryland. There they destroyed the fairest promise of peace that a wrecked world ever saw. England at this time is Maryland upon an imperial scale. He who shall break our religious peace will go down to history with those whose names Englishmen try to forget.

It is for this reason that I lament when six millions of British subjects are told by a voice of great authority that they are loyal indeed, but in spite of their religion. When men are so taught they are very apt to learn the lesson. They will be ready to say, if by my whole life I am loyal, but by my religion I ought, as I am told, to be disloyal, I am, therefore,

either a traitor or a heretic. If I am a heretic I shall lose my soul; but for imputed treason I can only lose my life. If men of Mr. Gladstone's age and fame say these things, the masses will be very apt to believe them. And if he should also say that Pius IX. and the whole Episcopate, and the Vatican Council, and the Clergy of England and Ireland, so believe and teach, I can hardly find fault with a plain man who says, 'Your arguments and quotations are above me, but I know that the Pope and the Church cannot mislead me; they must know the Catholic faith better than you. At all costs I must believe them.' I could not blame such a man in refusing for so obvious a reason to listen to Mr. Gladstone when he expostulates with the Vatican Council. Indeed, I can conceive that it will not promote loyalty in England or Ireland to hold up passages from books written even by me in proof that Catholics must choose between their loyalty and their religion. They may be more likely to choose to err even with me than to correct their faith at the voice of any politician. Moreover, they may even be tempted to think that if I am not loyal they need not be. It is a dangerous thing to tell a flock of many millions that the Pastors they trust are, or ought to be, disloyal. They will be apt to say, 'We do not understand it; but if it be true, there must be some very strong and sufficient reason.' I can conceive that the Catholic peasants in Germany may have argued in this plain way, even before

they understood the merits of the cause. They saw the Archbishop of Posen carried off to prison. Depend upon it their confidence went with him. This is playing with edged tools, and in a matter where it is hardly moral to play at all. Great public disasters might be caused by the game, and the costs of the game would fall, not upon the gamester, but upon innocent men, and women, and children.

I could not refrain from saying thus much of England. But I have little fear that the stream of our equal legislation will be turned aside, much less turned back; or that our public peace will be broken. The destinies of the British Empire are in strong hands, guided by calm heads, and supported by a balanced and steady public opinion, which in the last two months has manifested a self-command and an equity which do honour to our country.

As to Germany I shall say no more. Luther's mighty trumpet has already rung twice through Germany. It rang long and loud from 1535 to 1542, and again longer and louder from 1618 to 1648. The old Germany that heard it has ceased to exist.[1] God grant that it may not give such notes again. Everyone who bears a human heart, and a love for the Christian world and a good-will to Germany, will share in this desire.

But if the conflicts of Governments against the Church are fatal to the public peace and to them-

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[1] See Archbishop Trench's *Gustavus Adolphus*, pp. 88, 89, 161.

selves, as assuredly they would be to the British Empire if our accusers should rekindle old strifes, and as they assuredly will be in the German Empire, whether the policy of Prince Von Bismarck fail or succeed, there can be found no sadder example of this disastrous imprudence in statesmen than in the case of Italy. For eight and twenty years a wanton and mischievous aggression against the Holy See has been carried on. I say wanton, because it has been without a cause. I say mischievous, because it has retarded and endangered the unity and independence of Italy, and the public and private prosperity of the Italian people. As Mr. Gladstone has reviewed his relation to the Italian question in its bearing on his Expostulation, I may do the same.

At the outset of their task of unifying and vindicating the independence of Italy, the Italian politicians began by assailing the principle of all unity among men. They engaged all the pride and all the passion of Italy in a deadly conflict with the special source of all its greatness. Had they worked from that centre of their moral life, Italy at this day would have been united, peaceful, and strong. These are, indeed, my convictions, but not my words. Neither the present party which rules Italy, nor the party which has encouraged them in this country, will, perhaps, listen to me. But they will listen, I hope, to one who was an Italian, and a lover of the unity and independence of Italy. Vincenzo Gioberti, in

his 'Primato degli Italiani,' after proving that religion is the source of all civilisation, says :—

'If, then, the whole culture of a people has its impulse and origin from religion, how can we treat of its culture without speaking of its religion? If the culture of Europe in general, and that of Italy in particular, were the work of the New Rome and of its belief, how is it possible to discuss this twofold argument, and to be silent about Catholicism and about the Pope? In writing a book upon Italy I protest that I desire to speak of the living and real Italy as it exists at this day, not of the Italy that is dead these fourteen hundred years, nor of an abstract allegorical Italy that is not to be found in the outward world, but only in the brain of some philosopher.' . . . 'Italy is differenced from the Gentile nations by its Christianity; from those that are in heresy and schism by its Catholicism; and from the other nations which are Catholic by the fact that it is placed in the centre of Catholicism, and not in the outline or circumference.' . . . . 'But among the Catholic populations, the Italian has the privilege of occupying the first place, because it possesses in its heart the first See.

'I hope that these suggestions will be enough to justify the small amount of theology that I have put into this book. . . . . Two facts seem to me conspicuous in the political (*civile*) world at this day' . . . 'the first is the exclusion of the Theology of Revelation from the field of the Encyclopedia of human knowledge; the second is the removal of the Catholic clergy from the influence in civil affairs.' . . . . 'I count it to be the duty of a writer, above all if he be a philosopher, Catholic and Italian, to combat these two grand aberrations of modern civilisation, and to recall things to their first principles; endeavouring to restore the universal primacy of religion in the circle of things and of knowledge.' . . . .

'I therefore do not believe that I deceive myself in affirming that every scientific reform is vain, if it do not make chief account of religion, and that every scheme of Italian renovation is null, if it have not for its base the corner-stone of Catholicism.'[1]

After a contrast of the theoretical abstractions of the Ghibelline party and the practical and popular policy of the Guelphs, Gioberti continues:—

'The Italy of that day was not the Italy of the ancient Latins, corrupted by the incapacity of the later Emperors, and destroyed by the ferocity of the northern barbarians. In its stead a new Rome had been created, under the auspices, not of Romulus, but of Peter, not of the Conscript Fathers of old Rome, but of the Episcopate, and of the councils which are the Patrician order and the Senate of the universal Christendom. The Guelphs, therefore, did not separate the civil constitution of Italy from the Pontificate, and, without confounding the human order with the divine, they believed that God, having privileged the Peninsula with the first See of the faith, mother of all others . . . . it ought to exercise the chief part in the political order of Italy.' . . . 'But in this day many think otherwise, and in their opinion the Pope has about as much to do with the national condition of Italy as he has with that of China. This comes from the weakness into which foreign influences have led the Papacy, and from the springing up again for the last century of the ancient spirit of the Nominalists and the Ghibellines, under the form of Gallicanism, Jansenism, Cartesianism, Voltairianism, or under the disguise of rationalism and German pantheism, prompted by the same principles, and

[1] Gioberti, *Primato degli Italiani*, vol. ii. pp. 28–31.

springing from the same countries respectively as those former heresies. And the evil will last as long as men persist in substituting a heathen or chimerical Italy in the place of a real and a Christian Italy, which God, and a life of eighteen hundred years, has created; that is to say, a French or German Italy in the place of an Italy of the Italians. But I cannot understand how men can ascribe the civilisation of Europe in general to Christianity (of which there is at this day no writer of any force who doubts), and not award in particular the culture of our Peninsula to the Holy See; for the Pope is to the universal Church that which the civilisation of Italy is to that of Europe.'[1]

I will add but one more passage, which will enunciate in the words of an Italian patriot the affirmation I have made:—

'The separating of the national personality of Italy from its religious principle, and from the dignity which spreads throughout it from the Christian monarchy of which it is the home (*residenza*), is not, in my opinion, the least of the causes which, for many centuries, weakens the minds of Italians. This error sprung in part from the habit of arguing and judging of Christian Italy after the manner of pagans, and in part from the custom of reasoning, according to the canons of a philosophy which is governed, not by rational ideas nor by living and concrete facts, but by empty abstractions.'[2]

Such was the estimate of a man who loved Italy with all his heart, and desired to see it united, and independent of all foreign dynasties.

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[1] Gioberti, *Primato degli Italiani*, vol. ii. pp. 66, 67. [2] *Ibid.* 60.

This is no mere speculation as to what the Catholic religion and the Pope may be to Italy, but a strict historical fact. The Pontiffs have been for fourteen hundred years the chief popular power in Italy. I say popular, not dynastic; not despotic, but Guelf. In the fifth century the Pontiffs saved Italy from the Gothic invasions. St. Innocent I. saved Ravenna and Rome. St. Leo saved Italy from Attila, and Rome from Genseric. In the sixth and seventh centuries St. Gregory was the chief defender of Italy and Rome against the Lombards. The same is true in the time of Gregory II. and Adrian I. In the ninth, tenth, and eleventh centuries the Pontiffs Leo IV. and Gregory IV. saved Italy from the Saracens. So also John VIII., John X., Benedict VIII. beat back the Saracens, and finally drove them from Sardinia. The Crusades of Urban II. and St. Pius V. saved Italy and Europe from the Mohammedan Power. In the great contest about Investitures, the Pontiffs, from Gregory VII. to Calistus II., saved the Church from subjection to the Empire, and Italy from subjection to Germany. The ecclesiastical and political liberties of Italy were both at stake, and were both vindicated together by the action of the Pontiffs. In the twelfth and thirteenth centuries the liberty of the Italian Communes was saved from the feudal despotism of the Hohenstaufen by the Popes. Alexander III. and the Lombard League defended popular liberty against Frederick Barbarossa. The City of Alexandria is to

this day the monument of the gratitude of the Lombard people. The City of Cæsarea has ceased to exist. Innocent III. and the Tuscan League saved the liberties of Central Italy. Gregory IX. and Innocent IV. resisted the tyranny of Frederick II., and finally saved the independence of Italy from the Imperial despotism. Then came the contest of the people and the Empire, the Guelfs and the Ghibellines. In these conflicts the Popes and the people were indivisible. In the fourteenth and fifteenth centuries the Popes were the soul and the strength of the Italian Leagues, whereby the people and their liberties were protected from the enormities of tyrants and adventurers and Free Companies. In the fifteenth century Nicholas V. maintained peace among the Princes and people of Italy, and drew Naples, Milan, Florence, Venice, and Genoa into a Confederation to maintain the Italian independence.

Pius II. protected, in like manner, the liberty of Italy from the intrusions of France. Paul II. leagued together all the Princes of Italy in defence of Italian freedom. Julius II. laboured to drive all foreign domination out of Italy. Leo X. made it his chief policy to liberate Italy from all foreign dominion, and to unite all the Princes of Italy in a Confederation of independence.

Paul IV., though unsuccessful, was the champion of the independence of Italy against the Spaniards. From that time onwards the Pontiffs were ever in con-

flict against Spain or France to save the liberties of Italy and of the Church. The histories of Pius VI. and Pius VII. are too well known to need recital.

It is therefore too late in the day to go about to persuade men that the Pontiffs were ever opposed to Italian unity, Italian freedom, Italian independence. These three things have been the aim and the work of the whole line of Popes, down to Pius IX. Even Mr. Gladstone acknowledges that Pius IX. is 'an Italian.'[1] Beyond all doubt there is not one in the long line I have quoted who has loved Italy more than he. There is not one who had at heart more ardently the unity, freedom, and independence of Italy. His first act was to set free every political prisoner with a full pardon. By that act he showed that he recognised the misdirected love of country in those who had been seduced into false or unlawful ways of seeking the unity and the liberties of their country.

In 1847 Pius IX. invited all the Princes of Italy to a League of Customs, by which the principle of Federal Unity would have been established. From this germ the National Unity would have steadily grown up, without shock or overthrow of right or justice. Once confederated, there was no identity of interests, no unity of power, which might not have grown solid and mature. This and the Supreme Council for the Government of the Pontifical State are proof enough

[1] *Expostulation*, p. 49.

of his desire for Italian unity, and of the far-reaching foresight with which he aimed at the elevation of Italy. And as for Italian independence, let the following letter, written by himself to the Emperor of Austria on the 2nd of May, 1848, suffice:—

'Your Imperial Majesty, this Holy See has been always wont to speak words of peace in the midst of the wars that stain the Christian world with blood; and in our Allocution of the 29th of last month, while we declared that our paternal heart shrunk from declaring war, we expressly declared our ardent desire to restore peace. Let it not be displeasing, therefore, to your Majesty that we turn to your piety and religion, and exhort you with a father's affection to withdraw your armies from a war which, while it cannot reconquer to the Empire the hearts of the Lombards and Venetians, draws after it the lamentable series of calamities that ever accompany warfare, and are assuredly abhorred and detested by you. Let it not be displeasing to the generous German people, that we invite them to lay aside all hatreds and to turn a domination which could not be either noble or happy while it rests only on the sword, into the useful relations of friendly neighbourhood. Thus we trust that the German nation, honourably proud of its own nationality, will not engage its honour in sanguinary attempts against the Italian nation, but will place it rather in nobly acknowledging it as a sister, as indeed both nations are our daughters, and most dear to our heart; thereby mutually withdrawing to dwell each one in its natural boundaries with honourable treaties and the benediction of the Lord. Meanwhile, we pray to the Giver of all lights and the Author of all good to inspire your Majesty with holy counsels, and give from our inmost heart to you and Her Majesty the

Empress, and to the Imperial family, the Apostolic benediction.

'Given in Rome at Santa Maria Maggiore, on the third day of May, in the year 1848, the second of our Pontificate,

'Pius PP. IX.'

The following passage, from an impartial observer, will attest what were the intentions and desires of Pius IX.:—

'The opposition of Austria has been constant and intense from the moment of his election. The spectacle of an Italian Prince, relying for the maintenance of his power on the affectionate regard and the national sympathies of his people; the resolution of the Pope to pursue a course of moderate reform, to encourage railroads, to emancipate the press, to admit laymen to offices in the State, and to purify the law; but, above all, the dignified independence of action manifested by the Court of Rome, have filled the Austrians with exasperation and apprehension. There is not the least doubt that the Cabinet of Vienna is eager to grasp at the slightest pretext for an armed intervention south of the Po. If such a pretext do not occur, it is but too probable that it may be created; and any disturbances calculated to lead to such a result would at once betray their insidious origin. Meanwhile, the Pope is menaced in Austrian notes, which have sometimes transgressed the limits of policy and decorum; and the minor Princes of Italy are terrified by extravagant intimations of hostile designs entertained against them by the National Party, headed by the Pope and the House of Savoy, in order to persuade them that their only safeguard is the Austrian army. These intrigues may be thought necessary to the defence of the tottering power of Austria south of the Alps, for every step made in

advance by Italy is a step towards the emancipation of the country.'[1]

But the evil genius of revolution had begun to work. Across the field of the Christian and Catholic traditions of Italy, a chimerical theory of a Communistic State, a Republic without Christianity, a democracy without King or Pontiff, forced itself.

Mazzini had been crying for years, 'The Papacy is extinct, Catholicism is a corpse, and the Pope knows this. . . . . Read the Encyclical Letter.'[2] He had taught Young Italy the three degrees, of Guerilla Bands, Insurrection, Revolution.[3] The mine was charged and the fuse already lighted. This widespread Secret Association covered the face of Italy. What followed all men know: the murder of Rossi, the siege of the Quirinal Palace, the wreck of all authority, the Socialist Revolution, the Roman Republic, impunity of sacrilege, and a reign of terror.

Now, let us suppose that in the period of our history, when the unity of the English people was gradually consolidating, some organised Apostleship of Socialism had begun to whisper in private and to preach in public such doctrines of conspiracy as these, and to teach that the people could never be free so long as King or Priest existed; that all monarchical power

[1] *Times*, March 28, 1847.
[2] *Life and Writings of Mazzini*, vol. i. p. 248.
[3] *Ibid.* p. 108, and Appendix, 1864.

and ecclesiastical authority were enemies of the public weal; that the overthrow of the Monarchy and the extinction of the Church were the only remedies of present evils, the only means of future progress. Such a foreign element of discord, mistrust, conspiracy would have divided the hearts, intellects, and wills of the people of England, and rendered its unification impossible. The unity of religion in faith and worship, the unity of the Spiritual authority which spoke to the reason and the will of men, was then, as it is at this hour, the only principle of unity. Without this, legislation is merely mechanical; a dynamic power is wanted to bind men into one people. Our forefathers had it, and the English Monarchy of a thousand years is its fruit. The Italians have it at this hour in great vividness; but Philosophers and Doctrinaires, Conspirators and Communists, are perverting the intellect and dividing the wills of the rising men of Italy. If such a conspiracy had crossed our early unification, we should have been, it may be, at this day, I will not say a Heptarchy, but assuredly a divided people, with a paralyzed national will. May God save Italy from this danger. It is not too late. It was said in an eloquent speech, the other day, that a people which breaks with its past is doomed to division and to instability. The rupture of France with its ancient traditions in 1789 has generated the brood of political parties, which, from month to month, thwart

and defeat each other's action, like palsied limbs. If Italy should break with its past; if it should forget the labours, and sufferings, and dangers which united its Pontiffs and its people in the wars of its independence, freedom, and unity; if it should forget the confederations wrought by the Pontiffs, by which they made all the divisions of Italy work together for the liberties of the whole Peninsula, from the Alps to its foot—then, indeed, I should despair of its future. It could have no other in store than a chronic warfare of parties, and the final sway of some successful soldier.

Of the population of 26,000,000 Italians not three millions have launched themselves in the revolution of the last twenty years. The great bulk of the people are, as they have always been, Christian, Catholic, and loyal. The Electoral body who have votes to return the Italian Parliament do not exceed in number some half million. Of these hardly one-half record their vote. The Italian Deputies are, therefore, chosen by one-hundreth part of the population. The whole Chamber is, therefore, revolutionary, and may be divided into two parties—the moderate revolution and the extreme revolution. The Catholic voters abstain from all participation in such a state. They are not revolutionists, either extreme or moderate. They could elect no deputy but one of their own principles; and no such deputy could sit, because to take his place he must bind

himself by oath to the existing state of things, including, therefore, the violation of the sovereignty of the Pontiff. More than this, the existing state of the law has invaded the liberties and jurisdiction of the Church. It has abolished religious orders and institutions, it has harshly turned out their inmates upon a pittance, which, if paid, would not suffice for food. It has confiscated property, seized upon colleges, abolished theology from the universities, and the Christian doctrine from schools. And all this, be it remembered, not to meet the distracted state of a people who have lost their religious unity, and must be provided with civil marriage and secular education, but in the midst of a population absolutely and universally Catholic. This, and not what Mr. Gladstone, with a strange want of accuracy, supposes, is what the Syllabus condemns. It nowhere condemns the civil policy which is necessary for a people hopelessly divided in religion. For us this may be a necessity. In Italy it is a doctrine of the Doctrinaires. To force upon the united people of Italy that which is necessary for the divided people of England is a senseless legislation, and a mischievous breaking with the glorious past of Italy. I do not now stay to dwell upon the unpatriotic and un-Italian agitation of men who for twenty-five years have threatened Pius IX. with violence, and assailed him as the Vampire, the Canker, the Gangrene of Italy. Such men, from Aspromonte to this day, have been the chief hindrance

to the unification and pacification of Italy. And those who in this country have encouraged and abetted those agitators—not that they knew anything but that Garibaldi was fighting against the Pope—have been among the worst friends of Italy; I might say among the unconscious but most mischievous enemies. It is strange how this one taint of bigotry will pervert everything. Garibaldi was raising insurrection in Sicily and Naples against a lawful sovereign ; and those who put us now to question about our loyalty cheered and aided him by all moral influence. More than this, when the leader of rebellion came to England he was received with royal honours, and red carpets were spread for him at the threshold of aristocratic houses, until his name was found to be contagious. Then, in twenty-four hours he was sped from England with the profuse facilities of departure which wait upon an unwelcome guest. In my judgment—and I have formed it not in London from newspaper correspondents, but in Rome during many a long residence, extending in all over seven years—those who have encouraged this chronic agitation against the religion of Italians and the independence of Rome, have been among the chief causes of the present disorders of Italy. They could put no surer bar to its unity or to the solution of the Roman question which they confidently believe to be settled. They are keeping it open by encouraging the Government of

the day to persist in quarreling with the Catholic Church and with its Head. But this part of the subject has outgrown its proportion. I return, therefore, to the proposition I set out to prove,—that by the collisions which now exist between the Civil Powers and the Church, the Governments of Europe are destroying the main principle of their own stability. And I must add that they who are rekindling the old fires of religious discord in such an equal and tempered Commonwealth as ours, seem to me to be serving neither God nor their country.

CHAPTER V.

THE MOTIVE OF THE DEFINITION.

My last proposition is that the motive of the Council of the Vatican for defining the Infallibility of the Roman Pontiff was not any temporal motive, nor was it for temporal ends; but that the Definition was made in the face of all temporal dangers, in order to guard the Divine deposit of Christianity, and to vindicate the Divine certainty of Faith.

I have read many things in Mr. Gladstone's pamphlet which are unlike himself, but none seems more so to me than this question, 'Why did that Court, with policy for ever in its eye, lodge such formidable demands for power of the vulgar kind in that sphere which is visible, and where hard knocks can undoubtedly be given as well as received?'[1]

Would it not have been more seemly and more dignified if the question had been couched in some such words as these: 'Why has the Catholic Church, in a moment of great peril, when a revolution is at the gates of Rome, and the Civil Powers of the world are uniting, not only to forsake it, but even to

[1] *Expostulation*, p. 47.

threaten it with opposition—why has it at such a time, in spite of every inducement of policy, and every motive of interest, and in defiance of every pleading of worldly wisdom, persisted in defining the Infallibility of the Pope—a doctrine which is sure to bring down upon the Church the animosities of all its enemies without, and the conspiracies of all its faithless members within ?' Even Mr. Gladstone can see that this was most impolitic. Why, then, will he accuse the Church of always having policy in its eye ? By his own confession it is not always so: for he is witness that it is not so in this case. Why, then, would he not say so? I will gladly answer the question he has put.

The reasons, then, why the Infallibility of the Roman Pontiff ought to be defined were publicly stated as follows, in 1869, before the Vatican Council met ; and some or all of them, I believe, prevailed in determining the Council to make that definition:—

'Those who maintain that the time is ripe, and that such a definition would be opportune, justify their opinion on the following reasons:—

'1. Because the doctrine of the Infallibility of the Vicar of Jesus Christ, speaking *ex cathedra*, in matter of faith and morals, is true.

'2. Because this truth has been denied.

'3. Because this denial has generated extensive doubt as to the truth of this doctrine, which lies at the root of the immemorial and universal practice of

the Church, and therefore at the foundation of Christianity in the world.

'4. Because this denial, if it arose informally about the time of the Council of Constance, has been revived, and has grown into a formal and public error since the closing of the last General Council.

'5. Because, if the next General Council shall pass it over, the error will henceforward appear to be tolerated, or at least left in impunity; and the Pontifical censures of Innocent XI., Alexander VIII., Innocent XII., and Pius VI. will appear to be of doubtful effect.

'6. Because this denial of the traditional belief of the Church is not a private, literary, and scholastic opinion; but a patent, active, and organised opposition to the prerogatives of the Holy See.

'7. Because this erroneous opinion has gravely enfeebled the doctrinal authority of the Church in the minds of a certain number of the faithful; and if passed over in impunity, this ill effect will be still further encouraged.

'8. Because this erroneous opinion has at times caused and kept open a theological and practical division among pastors and people; and has given occasion to domestic criticisms, mistrusts, animosities, and alienations.

'9. Because these divisions tend to paralyse the action of truth upon the minds of the faithful *ad intra*; and, consequently, by giving a false appearance

of division and doubt among Catholics, upon the minds of Protestants and others *ad extra.*

'10. Because, as the absence of a definition gives occasion for these separations and oppositions of opinion among pastors and people, so, if defined, the doctrine would become a basis and a bond of unity among the faithful.

'11. Because, if defined in an Œcumenical Council, the doctrine would be at once received throughout the world, both by those who believe the Infallibility of the Pontiff and by those who believe the Infallibility of the Church, and with the same universal joy and unanimity as the definition of the Immaculate Conception.

'12. Because the definition of the ordinary means whereby the faith is proposed to the world is required to complete the treatise "De Fide Divina."

'13. Because the same definition is required to complete the treatise "De Ecclesia, deque Dotibus ejus."

'14. Because it is needed to place the Pontifical Acts during the last three hundred years, both in declaring the truth, as in the dogma of the Immaculate Conception, and in condemning errors, as in the long series of propositions condemned in Baius, Jansenius, and others, beyond cavil or question; and still more, to make manifest that the active Infallibility of the Church, between council and council, is not dormant, suspended, or intermittent;

and to exclude the heretical supposition that infallible decrees are left to the exposition and interpretation of a fallible judge.

'15. Because the full and final declaration of the divine authority of the Head of the Church is needed to exclude from the minds of pastors and faithful the political influences which have generated Gallicanism, Imperialism, Regalism, and Nationalism, the perennial sources of error, contention, and schism.

'For these, and for many more reasons which it is impossible now to detail, many believe that a definition or declaration which would terminate this long and pernicious question, would be opportune; and that it might for ever be set at rest by the condemnation of the propositions following:—

'1. That the decrees of the Roman Pontiffs in matter of faith and morals do not oblige the conscience unless they be made in a General Council, or before they obtain at least the tacit consent of the Church.

'2. That the Roman Pontiff, when he speaks in matter of faith and morals, as the universal Doctor and Teacher of the Church, may err.'[1]

I will now, as briefly as I can, state what the Definition is. The greater part of the excitement and alarm on this subject arises from a want of just and clear perception of what the doctrine of Infallibility signifies.

[1] *Petri Privilegium*, part ii. pp. 119–122. (Longmans, 1869.)

'The fourth and last chapter of the "Constitution on the Church" defines the infallible doctrinal authority of the Roman Pontiff as the supreme teacher of all Christians.

'The chapter opens by affirming that to this supreme jurisdiction is attached a proportionate grace, whereby its exercise is directed and sustained.

'This truth has been traditionally held and taught by the Holy See, by the *praxis* of the Church, and by the Œcumenical Councils, especially those in which the East and the West met in union together; as, for instance, the fourth of Constantinople, the second of Lyons, and the Council of Florence.

'It is then declared that, in virtue of the promise of our Lord, "I have prayed for thee, that thy faith fail not,"[1] a perpetual grace of stability in faith was Divinely attached to Peter and to his successors in his See.

'The definition then affirms "that the Roman Pontiff, when he speaks *ex cathedra*—that is, when in discharge of the office of Pastor and Doctor of all Christians, by virtue of his supreme Apostolic authority, he defines a doctrine regarding faith or morals to be held by the Universal Church—by the Divine assistance promised to him in Blessed Peter, is possessed of that Infallibility with which the Divine Redeemer willed that His Church should be endowed for defin-

[1] St. Luke xxii. 31, 32.

ing doctrine regarding faith and morals; and that, therefore, such definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church.

'In this definition there are six points to be noted:

'First, it defines the meaning of the well-known phrase, *loquens ex cathedra*; that is, speaking from the seat, or place, or with the authority of, the supreme teacher of all Christians, and binding the assent of the Universal Church.

'Secondly, the subject-matter of his infallible teaching; namely, the doctrine of faith and morals.

'Thirdly, the efficient cause of Infallibility; that is, the Divine assistance promised to Peter, and in Peter to his successors.

'Fourthly, the act to which this Divine assistance is attached; namely, the *defining* of doctrines of faith and morals.

'Fifthly, the extension of this infallible authority to the limits of the doctrinal office of the Church.

'Lastly, the dogmatic value of the definitions *ex cathedra*; namely, that they are in themselves irreformable, because in themselves infallible, and not because the Church, or any part or member of the Church, should assent to them.

'These six points contain the whole definition of Infallibility.

'I. First, the definition limits the Infallibility of the Pontiff to the acts which emanate from him *ex*

cathedra. This phrase, which has been long and commonly used by theologians, has now, for the first time, been adopted into the terminology of the Church, and in adopting it the Vatican Council fixes its meaning. The Pontiff speaks *ex cathedra* when, and only when, he speaks as the Pastor and Doctor of all Christians. By this all acts of the Pontiff as a private person, or a private doctor, or as a local bishop, or as sovereign of a State, are excluded.[1] In all these acts the Pontiff may be subject to error. In one and one only capacity he is exempt from error; that is, when, as teacher of the whole Church, he teaches the whole Church in things of faith and morals.

'Our Lord declared "Super Cathedram Moysi sederunt Scribæ et Pharisæi—the Scribes and Pharisees have sat in the chair of Moses." The seat or *cathedra* of Moses signifies the authority and the doctrine of Moses; the *cathedra Petri* is in like manner the authority and doctrine of Peter. The former was

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[1] Cardinal Sfondrati, writing in 1684, explained this truth as follows:—'The Pontiff does some things as man, some as prince, some as doctor, some as pope; that is, as head and foundation of the Church; and it is only to these (last-named) actions that we attribute the gift of Infallibility. The others we leave to his human condition. As, then, not every action of the Pope is papal, so not every action of the Pope enjoys the papal privilege. This, therefore, is to act as Pontiff, and to speak *ex cathedra*, which is not within the competency of any (other) doctor or bishop.'—*Regale Sacerdotium*, lib. iii. sec. 1.

binding by Divine command, and under pain of sin, upon the people of God under the Old Law; the latter is binding by Divine command, and under pain of sin, upon the people of God under the New.

'I need not here draw out the traditional use of the term *cathedra Petri*, which in St. Cyprian, St. Optatus, and St. Augustine, is employed as synonymous with the successor of Peter, and is used to express the centre and test of Catholic unity. *Ex cathedra* is therefore equivalent to *ex cathedra Petri*, and distinguishes those acts of the successors of Peter which are done as supreme teacher of the whole Church.

'The value of this phrase is great, inasmuch as it excludes all cavil and equivocation as to the acts of the Pontiff in any other capacity than that of supreme Doctor of all Christians, and in any other subject-matter than the matters of faith and morals.

'II. Secondly, the definition limits the range, or, to speak exactly, the object of Infallibility, to the doctrine of faith and morals. It excludes, therefore, all other matter whatsoever.

'The great commission or charter of the Church is, in the words of our Lord, "Go ye therefore and teach all nations . . . . teaching them to observe all things whatsoever I have commanded you; and behold I am with you all days, even to the consummation of the world." [1]

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[1] St. Matt. xxviii. 19, 20.

'In these words are contained five points:

'First, the perpetuity and universality of the mission of the Church as the teacher of mankind.

'Secondly, the deposit of the Truth and of the Commandments, that is, of the Divine Faith and Law entrusted to the Church.

'Thirdly, the office of the Church, as the sole interpreter of the Faith and of the Law.

'Fourthly, that it has the sole Divine jurisdiction existing upon earth, in matters of salvation, over the reason and the will of man.

'Fifthly, that, in the discharge of this office, our Lord is with His Church always, and to the consummation of the world.

'The doctrine of faith and the doctrine of morals are here explicitly described. The Church is infallible in this deposit of revelation.

'And in this deposit are truths and morals both of the natural and of the supernatural order; for the religious truths and morals of the natural order are taken up into the revelation of the order of grace, and form a part of the object of Infallibility.

'The phrase, then, "faith and morals" signifies the whole revelation of faith; the whole way of salvation through faith; or the whole supernatural order, with all that is essential to the sanctification and salvation of man through Jesus Christ.

'This formula is variously expressed by the Church and by theologians; but it always means one and the same thing.

'The Fourteenth Œcumenical Council of Lyons in 1274 says, "If any questions arise concerning faith, they are to be decided by the Roman Pontiff."[1]

'The Council of Trent uses the formula "In things of faith and morals pertaining to the edification of Christian doctrine."[2] . . . . .

'The object of Infallibility, therefore, is the whole revealed Word of God; and all that is so in contact with revealed truth, that without treating of it the Word of God could not be guarded, expounded, and defended. As, for instance, in declaring the Canon, and authenticity, and true interpretation of Holy Scripture, and the like.

'Further, it is clear that the Church has an infallible guidance, not only in all matters that are revealed, but also in all matters which are opposed to revelation. For the Church could not discharge its office as the Teacher of all nations, unless it were able with infallible certainty to proscribe doctrines at variance with the Word of God.

'From this, again, it follows that the *direct* object of Infallibility is the Revelation, or Word, of God; the *indirect* object is whatsoever is necessary for its exposition or defence, and whatsoever is contrariant

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[1] 'Si quæ subortæ fuerint quæstiones de fide, suo (i.e. Rom. Pont.) debent judicio definiri.'—Labbe, *Concil.* tom. xiv. p. 512, Venice, 1731.

[2] 'In rebus fidei et morum ad ædificationem doctrinæ Christianæ pertinentium.'—Sess. iv. *Decret. de Edit. et Usu Sac. Lib.*

to the Word of God, that is, to faith and morals. The Church, having a Divine office to condemn errors in faith and morals, has therefore an infallible assistance in discerning and in proscribing false philosophies and false science.[1] . . . . .

'I will not here attempt to enumerate the subject-matters which fall within the limits of the Infallibility of the Church. It belongs to the Church alone to determine the limits of its own Infallibility. Hitherto it has not done so except by its acts, and from the practice of the Church we may infer to what matter its infallible discernment extends. It is enough for the present to show two things:—

'Firstly, that the Infallibility of the Church extends, as we have seen, directly to the whole matter of revealed truth, and indirectly to all truths which, though not revealed, are in such contact with revelation that the deposit of faith and morals cannot be guarded, expounded, and defended without an infallible discernment of such unrevealed truths.

'Secondly, that this extension of the Infallibility of the Church is, by the unanimous teaching of all theologians, at least theologically certain; and, in the

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[1] 'Further, the Church, which, together with the Apostolic office of teaching, has received a charge to guard the deposit of faith, derives from God the right and the duty of proscribing false science, lest any should be deceived by philosophy and vain deceit (Coloss. ii. 8).'—*Constitution on the Catholic Faith*, chap. iv. 'Of Faith and Reason.'

judgment of the majority of theologians, certain by the certainty of faith.

'Such is the traditional doctrine respecting the Infallibility of the Church in faith and morals. By the definition of the Vatican Council, what is traditionally believed by all the faithful in respect to the Church is expressly declared of the Roman Pontiff. But the definition of the extent of that Infallibility, and of the certainty on which it rests, in matters not revealed, has not been treated as yet, but is left for the second part of the *Schema de Ecclesia*.

'Again, the definition declares the efficient cause of Infallibility to be a Divine assistance promised to Peter, and in Peter to his successors.

'The explicit promise is that of our Divine Lord to Peter, "I have prayed for thee that thy faith fail not; and thou, being once converted, confirm thy brethren."[1]

'The implicit promise is in the words, "On this rock I will build my Church, and the gates of hell shall not prevail against it."[2] . . . . .

'The Divine assistance is therefore a *charisma*, a grace of the supernatural order, attached to the Primacy of Peter, which is perpetual in his successors.

'I need hardly point out that between the *charisma*, or *gratia gratis data*, of Infallibility and the idea of

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[1] St. Luke xxii. 32. [2] St. Matt. xvi. 18.

impeccability there is no connection. I should not so much as notice it, if some had not strangely obscured the subject by introducing this confusion. I should have thought that the gift of prophecy in Balaam and Caiaphas, to say nothing of the powers of the priesthood, which are the same in good and bad alike, would have been enough to make such confusion impossible.

'The preface to the Definition carefully lays down that Infallibility is not inspiration.

'The Divine assistance by which the Pontiffs are guarded from error, when as Pontiffs they teach in matters of faith and morals, contains no new revelation. Inspiration contained, not only assistance in writing, but sometimes the suggestion of truths not otherwise known. The Pontiffs are witnesses, teachers, and judges of the revelation already given to the Church; and in guarding, expounding, and defending that revelation, their witness, teaching, and judgment are by Divine assistance preserved from error.'[1]

I will now answer Mr. Gladstone's question—why the Definition was made. The Vatican Council, then, defined the Infallibility of the Head of the Church, because, if it had failed to do so, the doctrinal authority of the Church would have been weakened throughout

[1] *Petri Privilegium*, part iii. pp. 56–60, 66, 78, 84. (Longmans, 1870.)

the world Every motive of worldly policy would have tempted the Council to compromise, and to shrink from defining it; but the peremptory obligations of Divine Truth compelled it in defiance of all policy to define it. Necessity was laid upon the Council, and it could not recede. Universal doubt and scepticism are pervading men and nations: therefore the Church defined the Infallibility of its Head, which is the confirmation of its own As a Divine witness, it declared his commission, and the powers given for its exercise. The Vicar of Jesus Christ testified to the world, wearied with doubt and sick with religious contentions, that the promise of his Master, 'He that heareth you heareth Me,' has not failed. The definition of the Infallible teaching of the Church by its Head affirms that there is still a divine certainty of faith upon earth; and that, as God is the sole Fountain of all Truth, so the Church is the only channel of its conveyance and custody among men. No other policy prompted the Definition. And even though the combined hostility of Civil Powers, as we now see it, had been heated sevenfold hot before its eyes, the Council would not have swerved from declaring, whether politic or not, the truth delivered to its charge. If I speak without hesitation, it is because I am able to speak of that which I saw with my own eyes, and heard with my own ears.

I hope I shall not violate any confidence which

ought to be sacred, or any reserve the delicacy of which I fully recognise, in going on to state a fact of which I am able to give personal testimony.

One day, during the deliberations of the Council, when the pressure of Diplomatists, and Governments, and journals was at its highest, the Holy Father said, 'I have just been warned that if the Council shall persist in making this definition, the protection of the French army will be withdrawn.' After a pause he added, with great calmness, 'As if the unworthy Vicar of Jesus Christ could be swayed by such motives as these.' I can with perfect certainty affirm that 'policy' had as little influence on the Council of the Vatican as it had on the Council of Nicæa; and that to ascribe the Definition to policy is as strange an aberration of judgment as to ascribe to the Definition the occupation of Rome, or the Franco-German war to the Jesuits and to the Pope. When men say these things, can they believe them?

It needs but little of the historic spirit to perceive that if the Vatican Council, for such motives as these, ought to have abstained from defining the Infallibility of the Head of the Christian Church, the Council of Nicæa ought also to have abstained from defining the *Homöousion*. There was violence all round about it. There was the certainty of a schism. After the Council eighty Bishops apostatised. They appealed, as all heretics ever do, to the Civil Powers. The Arian Schism was formed; it was protected by

Emperor after Emperor. Arianism became a State tool against the Catholic Church. It infected Constantinople; it spread into Italy and Spain; it lasted for centuries. But where is it now? And where now is the Creed of Nicæa? The *Homöousion* is at this day in the heart of the whole Church throughout the world. So will it be with the Council of the Vatican. What the Council of Florence implicitly declared, and the Council of Trent assumed as of faith, that the Council of the Vatican explicitly defined. It is very true that since the Council of Constance, that is, since the great schism of the West, when the Civil Powers of Europe, for a time, shook the visible unity of the Church by endeavouring to lessen the authority of its Head, the power of the Roman Pontiff has steadily consolidated itself in the intellect and the will of the Church. What was believed from the beginning has been now forced into explicit declaration. But while the Church has thus been more and more defining its faith with a Divine precision, the world has wandered off farther and farther into the wilderness of unbelief. The Council of Trent defined the particular doctrines denied by Luther's Reformation. But it did not deal with the master principle on which it rested. The chief character of the sixteenth century was the denial of the Divine authority of the Church, secured to it in virtue of a perpetual assistance of the Spirit of Truth. Three hundred years have unfolded the

consequences of this denial. It is nearly complete in the rationalism and infidelity of Germany. The 'Centuria prærogativa' has a mournful privilege of precedence in the Comitia of unbelievers. It has run its course, too, in Switzerland; and I must add, with sadness, it is running its course in the widespread doubt which is undermining the Christianity of England. Day after day I hear the words, 'I wish I knew what to believe, and why to believe anything:' and this from some of the noblest and most masculine natures, who recoil from the incoherence and contradiction of teachers who gainsay one another. But here is a subject on which I have no desire to enter. If I were asked to say what is the chief intellectual malady of England and of the world at this day, I should say, ubiquitous, universal doubt, an uncertainty which came in like a flood after the rejection of the Divine certainty of Faith. This uncertainty has already led multitudes to an entire rejection of Christianity; and they have not rested even in Deism. They have gone on to the rejection even of natural religion. They have no certainty that they have a conscience, or a will, or a soul, or a law of morality, or that there is a God. Three hundred years hence, when men look back upon the Council of the Vatican, as they now look back upon the Council of Trent—I will say even thirty years hence, when the noise and dust of the present conflict is laid,—they who have faith left in

them will recognise the Divine guidance under which the Council of the Vatican declared the existence of God, with all the truths radiating from it, as resting upon the witness of the visible world ; and also the Divine certainty of the Faith, as resting upon the witness of the Visible Church, and finding its perpetual and infallible expression in the voice of its Visible Head.

But it is now more than time to sum up what I hope has been sufficiently proved.

My first answer to the charge that the Vatican Council has made it impossible for Catholics to render a loyal civil allegiance, is that the Vatican Council has not touched our civil allegiance at all; that the laws which govern our civil allegiance are as old as the revelation of Christianity, and are regulated by the Divine constitution of the Church and the immutable duties of natural morality. We were bound by all these obligations before the Vatican Council existed. They are of Divine institution, and are beyond all change, being in themselves unchangeable. I have shown, I hope, that in the conflicts of the Civil Powers with the Church, the causes have arisen, not from acts of the Church, but from such acts as the Constitutions of Clarendon, the claim of Investitures, the creation of Royal Courts of final appeal, and the like; that these invasions of the Spiritual domain ever have been from the attempts of Governments to subject the Church to their own jurisdiction ; and now

more than ever, from an universal and simultaneous conspiracy against it. A leader of this conspiracy said the other day, 'The net is now drawn so close about the Church of Rome that if it escape this time I will believe it to be Divine.' If God grant him life, I have hope of his conversion. For, that the Church of Rome will escape out of the net is certain, and that for two reasons: first, for the same reason why its Divine Head rose again from the grave—'it was not possible that He should be holden by it;'[1] and next, because the Civil Governments, that are now conspiring against it, are preparing for their own dissolution. Finally, I have given the true and evident reason why, when some six hundred Bishops from the ends of the Church were gathered together, they defined the Infallibility of their Head—'*Visum est Spiritui Sancto et nobis.*'

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[1] Acts ii. 24.

CONCLUSION.

And now there only remains for me the hardest and saddest part of the task, which has not been sought by me, but has been forced upon me. A few months ago I could not have believed that I should have ever written these pages. I have never written any with more pain, and none of them have cost me so much as that which I am about to write.

Thus far I have endeavoured to confine myself to the subject-matter of Mr. Gladstone's pamphlet; but before I end, I feel bound by an imperative duty to lay before him, in behalf of his Catholic fellow-countrymen, the nature of the act which he has done.

He has not only invited, but instigated Catholics to rise against the Divine authority of the Catholic Church. He has endeavoured to create divisions among them. If Mr. Gladstone does not believe the authority of the Catholic Church to be Divine, he knows that they do.

If he thinks such a rising to be 'moral and mental freedom,' he knows that they believe it to be what his own Litany calls 'schism, heresy, and deadly sin.' If he believes religious separations to be lawful, he knows that they believe them to be violations of the Divine

law. I am compelled therefore to say that this is at least an act of signal rashness.

No man has watched Mr. Gladstone's career as a statesman with a more generous and disinterested good-will than I have. No one has more gladly appreciated his gifts; no one has more equitably interpreted certain acts of his political life, nor has hailed his successes with greater joy. But when he casts off the character of a statesman, for which he has shown so great capacity, to play the Canonist and Theologian, for which he has here shown so little, and that with the intent of sowing discord and animosities among six millions of his fellow-countrymen—and, I must moreover add, with an indulgence of unchastened language rarely to be equalled—I feel bound to say that he has been betrayed into an act for which I can find no adequate excuse. I must tell him that if he would incline the Catholics of the Empire to accept the ministries of his compassion, he must first purify his style both of writing and of thinking. Catholics are not to be convinced or persuaded by such phrases as 'the present perilous Pontificate;' 'the Papal chair, its aiders and abettors;' 'the great hierarchic power and those who have egged it on;' 'the present degradation of the Episcopal order;' 'the subserviency or pliability of the Council;' 'hideous mummies;' 'head-quarters;' 'the follies of Ecclesiastical power;' 'foreign arrogance;' 'the myrmidons of the Apostolic Chamber;' 'the foreign influence of a

caste.' I transcribe these words from his pages with repugnance; not, indeed, for our sake against whom they are levelled, but for the statesman who has thought them fitting. Mr. Gladstone can do many things; but he cannot do all things. He has a strong hand; but there is a bow which he cannot bend. He has here tried his hand at a task for which, without something more than mere literary knowledge, even his varied gifts will not suffice. This Expostulation is, as I have already said, an act out of all harmony and proportion with a great statesman's life.

I have written these words with a painful constraint; but, cost what it may, duty must be done, and I believe it to be my duty to record this judgment, in behalf of the Catholics of this country, on an act unjust in itself, and therefore not only barren of all good result, but charged with grave public dangers.

But, I cannot break off with a note so cheerless. If this Expostulation has cast down many hopes both of a public and a private kind, we cannot altogether regret its publication. If such mistrusts and misconceptions existed in the minds of our fellow-subjects, the sooner and the more openly they were made public the better. We are not content to be tolerated as suspect or dangerous persons, or to be set at large upon good behaviour. We thank Mr. Gladstone for gaining us the hearing which we have had before the public justice of our country; and we are

confident that his impeachment will be withdrawn. His own mind is too large, too just, and too upright to refuse to acknowledge an error, when he sees that he has been misled. It is also too clear and too accurate not to perceive that such is now the fact. I see in this the augury of a happier and more peaceful future than if this momentary conflict had never arisen. We shall all understand each other better. Our civil and religious peace at home will be firmer by this trial.

If the great German Empire shall only learn in time, thirteen millions of contented Catholic subjects, reconciled as they still may be by a return of just laws, will give a support to its unity which nothing can shake.

If Italy shall only come to see that the 'Roman question' is, and for ever will be, a source of weakness, contention, and danger to its welfare; and, seeing this, shall solve it peacefully, as Italy alone can do, by undoing its un-Catholic and therefore un-Italian policy, then its unity and independence will be secured by the spontaneous co-operation of a united people, gathered around the centre of all its Christian glories. Such a solution would then be consecrated by the highest sanctions of its faith. If wise counsels prevail, and wise friends of Italy shall gain its ear, it may be again what once it was, the foremost people in the Christian world.

And, lastly, for ourselves, our world-wide Empire

cannot turn back upon its path without disintegration. It is bound together, not by material force, but by the moral bond of just laws and the glad consent of a free people. But justice and freedom cannot be put asunder. They flow from one source; they can be kept pure only by the same stream. They have come down to us from our Christianity. Divided as we are, we are a Christian people still. By religious conflict our Christianity will waste away as a moth fretting a garment. By religious peace, all that is true, and wise, and just, and Christian, will be perpetually multiplied, binding indissolubly in one all men and all races of our Imperial Commonwealth.

APPENDICES.

APPENDIX A.

Innocentius III. Prælatis per Franciam constitutis. a.d. 1200.

Novit Ille, qui nihil ignorat: *et infra.*

Non putet aliquis, quod jurisdictionem illustris Regis Francorum perturbare, aut minuere intendamus, cum ipse jurisdictionem nostram nec velit, nec debeat impedire. Sed cum Dominus dicat in Evangelio, 'Si peccaverit in te frater tuus, vade et corripe eum inter te et ipsum solum: si te audierit, lucratus eris fratrem tuum: si te non audierit, adhibe tecum unum vel duos, ut in ore duorum vel trium testium stet omne verbum. Quod si te non audierit, dic Ecclesiæ: si autem Ecclesiam non audierit, sit tibi sicut ethnicus et publicanus.'[1] Et Rex Angliæ sit paratus sufficienter ostendere, quod Rex Francorum peccat in ipsum, et ipse circa eum in correctione processit secundum regulam Evangelicam, et tandem quia nullo modo profecit, dixit Ecclesiæ. Quomodo nos, qui sumus ad regimen universalis Ecclesiæ superna dispositione vocati, mandatum divinum possumus non exaudire, ut non procedamus secundum formam ipsius? Nisi forsitan ipse coram nobis, vel Legato nostro, sufficientem in contrarium rationem ostendat. *Non enim intendimus judicare de feudo, cujus ad ipsum*

[1] Matt. xviii. 15–17.

spectat judicium: nisi forte jure communi per speciale privilegium, vel contrariam consuetudinem aliquid sit detractum: *sed decernere de peccato, cujus ad nos pertinet sine dubitatione censura, quam in quemlibet exercere possumus et debemus.* . . . . . Cum enim non humanæ constitutioni, sed divinæ potius innitamur, quia potestas nostra non est ex homine, sed ex Deo, nullus qui sit sanæ mentis ignorat, quin ad officium nostrum spectet de quocunque mortali peccato corripere quemlibet Christianum: et si correctionem contempserit, per districtionem ecclesiasticam coercere. Sed forsan dicetur, quod aliter cum regibus et aliter cum aliis est agendum. Cæterum scriptum novimus in lege divina: 'Ita magnum judicabis ut parvum; nec erit apud te acceptio personarum.'[1]—Corpus Juris Canonici, *Decret. Gregor.* lib. ii. tit. i. cap. xiii.

Bonifacius VIII., ad perpetuam rei Memoriam. A.D. 1302.

Unam Sanctam Ecclesiam Catholicam et ipsam Apostolicam urgente fide credere cogimur et tenere. Nosque hanc firmiter credimus et simpliciter confitemur: extra quam nec salus est, nec remissio peccatorum, Sponso in Canticis proclamante, 'Una est columba mea, perfecta mea: una est matri suæ, electa genitrici suæ:'[2] quæ unum corpus mysticum repræsentat, cujus caput Christus, Christi vero Deus. In qua unus Dominus, una fides, unum baptisma.[3] Una nempe fuit Diluvii tempore arca Noe, unam Ecclesiam præfigurans, quæ in uno cubito consummata,[4] unum, Noe videlicet, gubernatorem habuit et rectorem, extra quam omnis subsistentia super terram legimus fuisse deleta. Hanc autem veneramur et unicam;

[1] Deut. i. 17. [2] Cant. vi. 8. [3] Eph. iv. 5. [4] Gen. vi. 16.

dicente Domino in Propheta, 'Erue a framea, Deus, animam meam et de manu canis unicam meam;'[1] pro anima enim, id est, pro seipso capite simul oravit et corpore: quod corpus unicam scilicet Ecclesiam nominavit, propter sponsi, fidei, sacramentorum et charitatis Ecclesiæ unitatem. Hæc est tunica illa Domini inconsutilis,[2] quæ scissa non fuit sed sorte provenit. Igitur Ecclesiæ unius et unicæ unum corpus, unum caput, non duo capita quasi monstrum, Christus videlicet, et Christi vicarius Petrus Petrique successor; dicente Domino ipsi Petro, 'Pasce oves meas,'[3] 'meas,' inquit, et generaliter non singulariter has vel illas, per quod commisisse sibi intelligitur universas. Sive ergo Græci, sive alii se dicant Petro ejusque successoribus non esse commissos, fateantur necesse se de ovibus Christi non esse; dicente Domino in Joanne 'unum ovile et unicum esse pastorem.'[4] In hac ejusque potestate duos esse gladios, spiritualem videlicet et temporalem, Evangelicis dictis instruimur. Nam dicentibus Apostolis, 'Ecce gladii duo hic,'[5] in Ecclesia scilicet, cum Apostoli loquerentur, non respondit Dominus nimis esse sed satis. Certe qui in potestate Petri temporalem gladium esse negat, male verbum attendit Domini proferentis, 'Converte gladium tuum in vaginam.'[6] Uterque ergo est in potestate Ecclesiæ, spiritualis scilicet gladius et materialis. Sed is quidem pro Ecclesia, ille vero ab Ecclesia exercendus. Ille sacerdotis, is manu regum et militum, sed ad nutum et patientiam sacerdotis. Oportet autem gladium esse sub gladio et temporalem auctoritatem spirituali subjici potestati: nam cum dicat Apostolus, 'Non est potestas nisi a Deo, quæ autem sunt a Deo ordinata sunt:'[7] non autem

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[1] Psalm xxi. 21. [2] Joann. xix. 23, 24. [3] Joann. xxi. 17.
[4] Joann. x. 16. [5] Luc. xxii. 38. [6] Matt. xxvi. 52.
[7] Rom. xiii. 1.

ordinata essent, nisi gladius esset sub gladio, et tanquam inferior reduceretur per alium in suprema. Nam secundum beatum Dionysium, lex divinitatis est, infima per media in suprema reduci. Non ergo secundum ordinem universi omnia æque ac immediate, sed infima per media et inferiora per superiora ad ordinem reducuntur. Spiritualem autem et dignitate et nobilitate terrenam quamlibet præcellere potestatem, oportet tanto clarius nos fateri quanto spiritualia temporalia antecellunt. Quod etiam ex decimarum datione, et benedictione, et sanctificatione, ex ipsius potestatis acceptione, ex ipsarum rerum gubernatione claris oculis intuemur. Nam veritate testante, spiritualis potestas terrenam potestatem instituere habet et judicare, si bona non fuerit, sic de Ecclesia et ecclesiastica potestate verificatur vaticinium Hieremiæ: 'Ecce constitui te hodie super gentes et regna,'[1] et cætera quæ sequuntur. Ergo si deviat terrena potestas, judicabitur a potestate spirituali, sed si deviat spiritualis minor a suo superiori: si vero suprema, a solo Deo, non ab homine poterit judicari, testante Apostolo, 'Spiritualis homo judicat omnia, ipse autem a nemine judicatur.'[2] Est autem hæc auctoritas, etsi data sit homini et exerceatur per hominem, non humana, sed potius divina, ore divino Petro data, sibique suisque successoribus in ipso, quem confessus fuit petra firmata, dicente Domino ipsi Petro, 'Quodcunque ligaveris,'[3] etc. Quicunque igitur huic potestati a Deo sic ordinatæ resistit, Dei ordinationi resistit,[4] nisi duo sicut Manichæus fingat esse principia: quod falsum et hæreticum judicamus: quia testante Moyse, non in principiis, sed in principio cœlum Deus creavit et terram.[5] Porro subesse Romano Pontifici

[1] Hier. i. 10. [2] 1 Cor. ii. 15. [3] Matt. xvi. 19.
[4] Rom. xiii. 2. [5] Gen. i. 1.

omn humanæ creaturæ declaramus, dicimus, definimus et pronunciamus omnino esse de necessitate salutis.

Datum Laterani xiv kal. Decembris, pontificatus nostri anno octavo.

Corpus Juris Canonici. *Extravag. Commun.* lib. i. *De Majoritate et Obedientia*, cap. i.

Clementis V. Diploma. a.d. 1306.

Clemens Episcopus, etc. Ad perpetuam rei memoriam.

Meruit carissimi filii nostri Philippi regis Francorum illustris sinceræ devotionis ad nos et Ecclesiam Romanam integritas, et progenitorum suorum præclara merita meruerunt, meruit insuper fida regnicolarum pietas, ac devotionis sinceritas, ut tam regnum quam regem favore benevolo prosequamur. Hinc est quod nos dicto regi et regno per definitionem seu declarationem bonæ memoriæ Bonifacii PP. VIII. prædecessoris nostri, quæ incipit *Unam sanctam*, nullum volumus vel intendimus præjudicium generari. Nec quod per illam rex, regnum, regnicolæ prælibati amplius Ecclesiæ sint subjecti quam antea existebant. Sed omnia intelligantur in eodem esse statu quo erant ante definitionem præfatam, tam quantum ad Ecclesiam quam etiam quod regem et regnum superius nominatos.

Datum Lugduni kalendis Februarii, pontificatus nostri anno primo.

Labbe, *Concilia*, *sub ann.* 1305, tom. xiv. p. 1374, ed. Ven. 1731.

APPENDIX B.

Extract from the Encyclical Letter of Gregory XVI. '*Mirari Vos*,' *August* 15, 1832.

As we have learned that certain writings spread abroad among the people publish doctrines which destroy the loyalty and submission due to princes, and kindle everywhere the torch of civil discord, we have to take especial care that the nations may not be deceived thereby, and led away from the right path. Let all bear in mind, according to the words of the Apostle, that 'there is no power but from God, and those that are ordained of God; therefore he that resisteth the power resisteth the ordinance of God, and they that resist purchase to themselves damnation.'[1]

Wherefore both divine and human laws cry out against those who, by basely plotting civil discord and sedition, abandon their allegiance to their princes and unite to drive them from their thrones.

For this reason, to avoid so base a crime, it is a well-known fact that the first Christians, in the midst of persecutions, rendered meritorious service to their Emperors and to the safety of the Empire. This they showed by the clearest proofs, not only in fulfilling with all loyalty and promptitude all that was commanded them not contrary to their religion, but by persevering therein even to shedding their blood in battle for them.

'Christian soldiers,' says St. Augustine, 'served an unbelieving Emperor, but when the cause of Christ was in question, they acknowledged only Him who is in Heaven. They distinguished between the Eternal Lord and a tem-

[1] Rom. xiii. 2.

poral lord, and were nevertheless subject to the temporal for the sake of their Eternal Lord.'[1]

St. Maurice, the invincible martyr, the captain of the Theban Legion, had this before his eyes when, as St. Eucherius relates, he gave his answer to the Emperor:— 'We are your soldiers, O Emperor, but nevertheless, we are free to confess, the servants of God. . . . And now we are not driven into rebellion, even to save our lives, for here we have arms in our hands, and we do not fight, because we have the will to die rather than to slay.'

This loyalty of the first Christians to their princes is the more conspicuous if we consider with Tertullian, that Christians at that time 'were not wanting in numbers and strength if they had wished for open war. We are but of yesterday, and we are found everywhere among you, in your cities, islands, strongholds, towns, public places, in your camps, your tribes, your companies, in your palaces, your senate, and your forum. . . . For what warfare should we not have been able and willing, even at great odds, who so readily offer ourselves to death, if our religion did not oblige us rather to die than to slay? . . . If we, so large a number as we are, had broken away from you and gone to some distant corner of the world, the loss of so many citizens, even such as we are, would have put your empire to shame, nay, would have punished you by the very loss. Without doubt you would have been daunted in your solitude. . . . You would have asked over whom you were ruling: more enemies would have been left than citizens: but now you have fewer enemies, owing to the number of Christians.'[2]

These luminous examples of immovable loyalty to princes, which necessarily followed from the holy precepts

[1] St. August. *in Psalm* cxxiv. n. 7.

[2] Tertullian *in Apolog.* cap. xxxvii.

of the Christian religion, at once condemn the detestable pride and wickedness of those who, boiling with unbridled lust for an inordinate liberty, are wholly engaged in destroying and tearing to pieces all the rights of princes in order to reduce the nations to slavery under pretence of liberty.—See *Recueil des Allocutions des Souverains Pontifes.* Paris, Le Clère, 1865, pp. 165–6.

APPENDIX C.

For the accuracy of the following statement I have direct evidence:—

For several years past the Radical authorities of the Diocese of Basle have persecuted the Catholic Church, as they still continue to do. Formerly the persecution was carried into effect, partly by violence and partly by underhand means; but it was always specious and very injurious to religion. It was invariably carried on in the name of progress, liberty, and the welfare of the people, whom it pretended to free from the tyranny of the priesthood and the despotism of Rome.

The Catholic populations were thus oppressed by the so-called omnipotence of the State, and, incredible as it would seem under a republican form of government, the State, or rather a few individuals acting in its name, supported by a non-Catholic majority, and backed by the Radical element, have succeeded in monopolising power, and in maintaining themselves in it by terrorism and bribery for a length of years, assuming to themselves the

functions of the Holy See and the Episcopate, and so adding to their temporal rule the spiritual government of souls. Not only have they possessed themselves of the direction of all public schools, and of the administration of all pious foundations, but they have destroyed all monastic, capitular, and ecclesiastical institutions, claimed the right to regulate the parochial system, the preaching of the Gospel, catechizing, confessions, first communions of children, the celebration of public worship, processions, burials and benedictions, and even extended their jurisdiction to matrimonial causes. More than this, by the Federal Constitution, which the recent revolutionary laws have just extended to the Catholic cantons, contrary to the will of the populations as expressed by the vote of an immense majority, the State has virtually and insidiously suppressed the Catholic Church by the introduction of that article of the Federal Code by which the ecclesiastical jurisdiction is abolished. (Art. 58.)

Finally, in five cantons of the Diocese of Basle, the Catholic populations have lost all liberty of worship in a more or less degree.

Since the Council of the Vatican more especially, the war against the Church has been waged with greater acrimony in the Diocese of Basle, and since the victories of Prussia, our enemies have acted more openly. The five governments of Soleure, Argovie, Basle-Campagne, Berne, and Thurgovie have sent their delegates to an assembly calling itself a Diocesan Conference, composed not of ecclesiastics, but in great part of Protestants, and of lay-Catholics notoriously hostile to the Church. Such a body of course possessed no legal authority, but notwithstanding its patent incapacity, it committed, among many other illegal and unjust acts, that of pronouncing a sentence of deprivation against the Bishop of Basle, on the 29th of January, 1873. The principal offence

imputed to him was, that of having published the definition of Papal Infallibility in his diocese, and of having refused to withdraw the publication. Several minor accusations were brought against him; but it may be remarked that the authorities were unable to prove that he had violated a single law during the whole course of his episcopate. He was therefore deprived of his see solely because he had fulfilled the duties of a Catholic bishop, and because he would not separate himself from the unity of the Holy See, by refusing to publish the decrees of the Vatican Council.

Since the above attack on the liberties of the Catholic populations, the Holy See, and the Church, a series of laws favouring schism and apostasy have been passed by the five cantonal governments in question. They have forbidden the Bishop of Basle to exercise his episcopal charge throughout the five cantons composing his diocese; and they have also forbidden the clergy to maintain any official relations with him, so that the faithful suffer grievous injury in their most sacred rights, and in their most urgent religious needs, in common with the whole Catholic priesthood, which has been punished in all the cantons for having protested against these unjust acts.

But it is the Protestant Canton of Berne which has signalised itself beyond all others by its despotism and its cruelty. It has suspended all the parish priests of the canton from their pastoral functions, and has since then deprived them, as well as all their curates, to the number of sixty-nine. It next pronounced sentence of exile on the whole clergy, ninety in number, only excepting five or six aged priests, who were, however, forbidden to say mass save in their own rooms, or in any way to exercise their sacred ministry. The government then drove all the priests out of their churches and presbyteries, and confiscated all their benefices and revenues, so that they are

deprived of all means of subsistence. Before the sentence of exile was carried out, many of them were moreover punished by fine and imprisonment. The Catholic laity has suffered there, and still has to suffer from every kind of injustice: fines, imprisonment, dismissal from public employment, are common occurrences, and men, women, nuns, and even children have been imprisoned for their faith.

There are, at the present moment, more than 60,000 Catholics in the Canton of Berne, who are deprived, as far as State influence can effect it, of all religious help, whether in life or in death, the exiled priests of the Bernese Jura being arrested and cast into prison if discovered within the cantonal limits.

The immense majority of the people, however, remain firmly attached to their pastors. In many parishes not a schismatic is to be found, and in others, containing a numerous population, the exceptions are very few. In a word, the Catholics of the Bernese Jura maintain their fidelity to the faith of their fathers, and the only partisans of the schism are apostates or persons long notoriously hostile to the Church.

But the most revolting feature of the present persecution is that the Government of Berne has sought in every part of Europe foreign priests in order to replace the lawfully appointed clergy of the Jura. It has succeeded in finding a certain number of suspended or apostate priests, who have consented to act as the instruments of State persecution. During the fourteen months which have witnessed the exile of the sixty-nine faithful parish clergy, twenty-five strangers have been brought to replace them. These men are of the worst moral antecedents. The government, notwithstanding, has imposed them on the parishioners, gives them profuse supplies of money, makes over the churches and presbyteries to them, and supports

them in every way, while the native clergy are despoiled and exiled.

The Catholics of the Jura being thus deprived of their pastors, meet in farms or outhouses for common worship; and yet even this liberty is not always conceded to them. It is only in profound secret they can receive the sacraments, or hear mass, and they even bury their own dead without the assistance of a priest. It is thus that religious animosity, making common cause with Radicalism, tyrannises over its fellow-citizens, who commit no offence against the public peace, and who bear their proportionate share of the public burdens!

By the course it has pursued the Government of Berne has violated the treaties and constitutions which protect Catholic liberties within the cantons. In order to give a colour of legality to future persecutions, it has voted a new Ecclesiastical Constitution, expressly framed against the interests of the Catholic Church in Switzerland, and which it has imposed, against their will, on the Catholics of Berne by a preponderant non-Catholic majority.

One consolation remains to us, namely, the fidelity of the entire body of clergy to the Catholic Church. They have freely chosen to lose all rather than betray the faith.

In order to perpetuate the supply of schismatic or 'Old-Catholic' priests, the government has recently established a faculty of theology in Berne. It has brought professors from Germany, either Protestants or apostate priests, and has induced a small number of students to follow the courses, by paying them highly for their attendance.

In Soleure, too, the Radical authorities carry on the same persecution of the Catholics of the cantons. The government has succeeded in placing three schismatical priests in as many parishes. It has suppressed and confiscated the celebrated and ancient abbey of the Bene-

dictines at Mariastein and the Chapters of Schœnnenwerth and of the Bishopric of Basle at Soleure. In the other mixed cantons, where the anti-Catholic Radicals are in a majority, the Catholics have much to suffer.

The Diocese of Basle includes seven cantons—viz. Soleure, Argovie, Thurgovie, Basle-Campagne, Berne, Lucerne, and Zug. The two last-named cantons are Catholic, and possess a just government. In the other cantons the majority is Protestant. To these must be added the city of Basle and the canton of Schaffhausen, both of which form part of the same diocese.

The Diocese of Basle comprises 430,000 Catholics and 800,000 Protestants and other denominations. It contains 800 priests, only seven of whom have become Old Catholics. The so-called Diocesan Conference has pushed its pretensions to the point of prescribing what authors are to be used by ecclesiastical students in the seminary! The bishop was not even free to appoint the superior and his assistants, but was obliged to obtain the 'Placet' of the State for such nominations, as well as for his Pastoral Letters.

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A LETTER

ADDRESSED TO HIS GRACE

THE DUKE OF NORFOLK

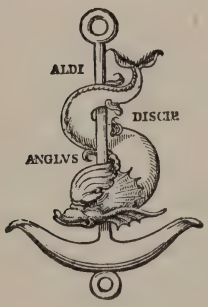
ON OCCASION OF

MR. GLADSTONE'S RECENT EXPOSTULATION

BY

JOHN HENRY NEWMAN D.D.

OF THE ORATORY



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TO HIS GRACE THE DUKE OF NORFOLK,

HEREDITARY EARL MARSHAL OF ENGLAND,

&c., &c.

MY DEAR DUKE OF NORFOLK,

When I yielded to the earnest wish which you, together with many others, urged upon me, that I should reply to Mr. Gladstone's recent Expostulation, a friend suggested that I ought to ask your Grace's permission to address my remarks to you. Not that for a moment he or I thought of implicating you, in any sense or measure, in a responsibility which is solely and entirely my own; but on a very serious occasion, when such heavy charges had been made against the Catholics of England by so powerful and so earnest an adversary, it seemed my duty, in meeting his challenge, to gain the support, if I could, of a name, which is the special representative and the fitting sample of a laity, as zealous for the Catholic Religion as it is patriotic.

You consented with something of the reluctance which I had felt myself when called upon to write; for it was hard to be summoned at any age, early or late, from a peaceful course of life and the duties of one's station, to a scene of war. Still, you consented; and for myself, it is the compensation for a very unpleasant task, that I, who belong to a generation that is fast flitting away, am thus enabled, in what is likely to be my last publication, to associate myself with one, on many accounts so dear to me,—so full of young promise—whose career is before him.

I deeply grieve that Mr. Gladstone has felt it his duty to speak with such extraordinary severity of our Religion and of ourselves. I consider he has committed himself to a representation of ecclesiastical documents which will not hold, and to a view of our position in the country which we have neither deserved nor can be patient under. None but the *Schola Theologorum* is competent to determine the force of Papal and Synodal utterances, and the exact interpretation of them is a work of time. But so much may be safely said of the decrees which have lately been promulgated, and of the faithful who have received them, that Mr. Gladstone's account, both of them and of us, is neither trustworthy nor charitable.

Yet not a little may be said in explanation of a step, which so many of his admirers and well-wishers deplore. I own to a deep feeling, that Catholics may in good measure thank themselves, and no one else, for having alienated from them so religious a mind. There are those among us, as it must be confessed, who for years past have conducted themselves as if no responsibility attached to wild words and overbearing deeds; who have stated truths in the most paradoxical form, and stretched principles till they were close upon snapping; and who at length, having done their best to set the house on fire, leave to others the task of putting out the flame. The English people are sufficiently sensitive of the claims of the Pope, without having them, as if in defiance, flourished in their faces. Those claims most certainly I am not going to deny; I have never denied them. I have no intention, now that I have to write upon them, to conceal any part of them. And I uphold them as heartily as I recognize my duty of loyalty to the constitution, the laws, and the government of England. I see no inconsistency in my being at once a good Catholic and a good Englishman. Yet it is one thing to be able to satisfy myself as to my consistency, quite another to satisfy others; and, undisturbed as I am in my own conscience, I have great difficulties in the task before me. I have one difficulty to overcome in the present excitement of the public mind against our Religion, caused partly by the chronic extrava-

gances of knots of Catholics here and there, partly by the vehement rhetoric which is the occasion of my writing to you. A worse difficulty lies in getting people, as they are commonly found, to put off the modes of speech and language which are usual with them, and to enter into scientific distinctions and traditionary rules of interpretation, which, as being new to them, appear evasive and unnatural. And a third difficulty, as I may call it, is this—that in so very wide a subject, opening so great a variety of questions, and of opinions upon them, while it will be simply necessary to take the objections made against us and our faith, one by one, readers may think me trifling with their patience, because they do not find those points first dealt with, on which they lay most stress themselves.

But I have said enough by way of preface; and without more delay turn to Mr. Gladstone's pamphlet.

§ 1. Introductory Remarks.

The main question which Mr. Gladstone has started I consider to be this :—Can Catholics be trustworthy subjects of the State? has not a foreign Power a hold over their consciences such, that it may at any time be used to the serious perplexity and injury of the civil government under which they live? Not that Mr. Gladstone confines himself to these questions, for he goes out of his way, I am sorry to say, to taunt us with our loss of mental and moral freedom, a vituperation which is not necessary for his purpose at all. He informs us too that we have "repudiated ancient history," and are rejecting "modern thought," and that our Church has been "refurbishing her rusty tools," and has been lately aggravating, and is likely still more to aggravate, our state of bondage. I think it unworthy of Mr. Gladstone's high character thus to have inveighed against us; what intellectual manliness is left to us, according to him? yet his circle of acquaintance is too wide, and his knowledge of his countrymen on the other hand too accurate, for him not to know that he is bringing a great amount of odium and bad feeling upon excellent men, whose only offence is their religion. The more intense is the prejudice with which we are regarded by whole classes of men, the less is there of generosity in his pouring upon us superfluous reproaches. The graver the charge, which is the direct occasion of his writing against us, the more careful should he be not to prejudice judge and jury to our disadvantage. No rhetoric is needed in England against an unfortunate Catholic at any time; but so little is Mr. Gladstone conscious of his treatment of us that in one place of his Pamphlet, strange as it may seem, he makes it his boast that he has been careful to "do nothing towards importing passion into what is matter of pure argument" pp. 15, 16. I venture to think he will one day be sorry for what he has said.

However, we must take things as we find them; and what I propose to do is this—to put aside, unless it comes directly in my way, his accusation against us of repudiating ancient history, rejecting modern thought, and renouncing our mental freedom, and to confine myself for the most part to what he principally insists upon, that Catholics, if they act consistently with their principles, cannot be loyal subjects;—I shall not, however, omit notice of his attack upon our moral uprightness.

The occasion and the grounds of Mr. Gladstone's impeachment of us, if I understand him, are as follows:—He was alarmed, as a statesman, ten years ago by the Pope's Encyclical of December 8, and by the Syllabus of Erroneous Propositions which, by the Pope's authority, accompanied its transmission to the bishops. Then came the Definitions of the Vatican Council in 1870, upon the universal jurisdiction and doctrinal infallibility of the Pope. And lastly, as the event which turned alarm into indignation, and into the duty of public remonstrance, "the Roman Catholic Prelacy of Ireland thought fit to procure the rejection of" the Irish University Bill of February, 1873, "by the direct influence which they exercised over a certain number of Irish Members of Parliament, &c." p. 60. This step on the part of the bishops showed, if I understand him, the new and mischievous force which had been acquired at Rome by the late acts there, or at least left him at liberty, by causing his loss of power, to denounce it. "From that time forward the situation was changed," and an opening was made for a "broad political discussion" on the subject of the Catholic religion and its professors, and "a debt to the country had to be disposed of." That debt, if I am right, will be paid, if he can ascertain, on behalf of the country, that there is nothing in the Catholic Religion to hinder its professors from being as loyal as other subjects of the State, and that the See of Rome cannot interfere with their civil duties so as to give the civil power trouble or alarm. The main ground on which he relies for the necessity of some such inquiry is, first, the text of the authoritative documents of 1864 and 1870;

next, and still more, the *animus* which they breathe, and the sustained aggressive spirit which they disclose; and, thirdly, the daring deed of aggression in 1873, when the Pope, acting (as it is alleged) upon the Irish Members of Parliament, succeeded in ousting from their seats a ministry who, besides past benefits, were at that very time doing for Irish Catholics, and therefore ousted for doing, a special service.

Now, it would be preposterous and officious in me to put myself forward as champion for the Venerable Prelacy of Ireland, or to take upon myself the part of advocate and representative of the Holy See. "Non tali auxilio;" in neither character could I come forward without great presumption; not the least for this reason, because I cannot know the exact points which are really the *gist* of the affront, which Mr. Gladstone conceives he has sustained, whether from the one quarter or from the other; yet in a question so nearly interesting myself as that February bill, which he brought into the House, in great sincerity and kindness, for the benefit of the Catholic University in Ireland, I may be allowed to say thus much—that I, who now have no official relation to the Irish Bishops, and am not in any sense in the counsels of Rome, felt at once, when I first saw the outline of that bill, the greatest astonishment on reading one of its provisions, and a dread which painfully affected me, lest Mr. Gladstone perhaps was acting on an understanding with the Catholic Prelacy. I did not see how in honour they could accept it. It was possible, did the question come over again, to decide in favour of the Queen's Colleges, and to leave the project of a Catholic University alone. The Holy See might so have decided in 1847. But at or about that date, three rescripts had come from Rome in favour of a distinctively Catholic Institution; a National Council had decided in its favour; large offers of the Government had been rejected; great commotions had been caused in the political world, munificent contributions had been made, all on the sole principle that Catholic teaching was to be upheld in the country inviolate. If, then, for the sake of a money grant, or other secular advantage, this ground of principle was deserted, and

Catholic youths after all were allowed to attend the lectures of men of no religion, or of the Protestant, the contest of thirty years would have been stultified, and the Pope and the Bishops would seem to have been playing a game, while putting forward the plea of conscience and religious duty. I hoped that the clause in the Bill, which gave me such uneasiness, could have been omitted from it; but, any how, it was an extreme relief to me when the papers announced that the Bishops had expressed their formal dissatisfaction with it.

They determined to decline a gift laden with such a condition, and who can blame them for so doing? who can be surprised that they should now do what they did in 1847? what new move in politics was it, if they so determined? what was there in it of a factious character? Is the Catholic Irish interest the only one which is not to be represented in the House of Commons? Why is not that interest as much a matter of right as any other? I fear to expose my own ignorance of Parliamentary rules and proceedings, but I had supposed that the railway interest, and what is called the publican interest, were very powerful there: in Scotland, too, I believe, a government has a formidable party to deal with; and, to revert to Ireland, there are the Home-rulers, who have objects in view quite distinct from, or contrary to, those of the Catholic hierarchy. As to the Pope, looking at the surface of things, there is nothing to suggest that he interfered, there was no necessity of interference, on so plain a point; and, when an act can be sufficiently accounted for without introducing an hypothetical cause, it is bad logic to introduce it. Speaking according to my lights, I altogether disbelieve the interposition of Rome in the matter. In the proceedings which they adopted, the Bishops were only using civil rights, common to all, which others also used and in their own way. Why might it not be their duty to promote the interests of their religion by means of their political opportunities? Is there no Exeter Hall interest? I thought it was a received theory of our Reformed Constitution that Members of Parliament were representatives, and in some sort delegates of their constituents, and that the strength of each

interest was shown, and the course of the nation determined, by the divisions in the House of Commons. I recollect the "Times" intimating its regret, after one general election, that there was no English Catholic in the new House, on the ground that every class and party should be represented there. Surely the Catholic religion has not a small party in Ireland; why then should it not have a corresponding number of exponents and defenders at Westminster? So clear does this seem to me, that I think there must be some defect in my knowledge of facts to explain Mr. Gladstone's surprise and displeasure at the conduct of the Irish Prelacy in 1873; yet I suspect none; and, if there be none, then his unreasonableness in this instance of Ireland makes it not unlikely that he is unreasonable also in his judgment of the Encyclical, Syllabus, and Vatican Decrees.

However, the Bishops, I believe, not only opposed Mr. Gladstone's bill, but, instead of it, they asked for some money grant towards the expenses of their University. If so, their obvious argument was this—that Catholics formed the great majority of the population of Ireland, and it was not fair that the Protestant minority should have all that was bestowed in endowment or otherwise upon Education. To this the reply, I suppose, would be, that it was not Protestantism, but liberal education that had the money, and that, if the Bishops chose to give up their own principles and act as Liberals, they might have the benefit of it too. I am not concerned here with these arguments, but I wish to notice the position which the Bishops would occupy in urging such a request:—I must not say that they were Irishmen first and Catholics afterwards, but I do say that in such a demand they spoke not simply as Catholic Bishops, but as the Bishops of a Catholic nation. They did not speak from any promptings of the Encyclical, Syllabus, or Vatican Decrees. They claimed as Irishmen a share in the endowments of the country; and has not Ireland surely a right to speak in such a matter, and might not her Bishops fairly represent her? It seems to me a great mistake to think that every thing that is done by the Irish Bishops and clergy

is done on an ecclesiastical motive; why not on a national? but if so, such acts have nothing to do with Rome. I know well what simple firm faith the great body of the Irish people have, and how they put the Catholic Religion before anything else in the world. It is their comfort, their joy, their treasure, their boast, their compensation for a hundred worldly disadvantages; but who can deny that in politics their conduct at times—nay, more than at times—has had a flavour rather of their nation than of their Church? Only in the last general election this was said, when they were so earnest for Home Rule. Why, then, must Mr. Gladstone come down upon the Catholic Religion, because the Irish love dearly the Green Island, and its interests? Ireland is not the only country in which politics, or patriotism, or party, has been so closely associated with religion in the nation or a class, that it is difficult to say which of the various motive principles was uppermost. "The Puritan," says Macaulay, "prostrated himself in the dust before his Maker, but he set his foot on the neck of his king:" I am not accusing such a man of hypocrisy on account of this; having great wrongs, as he considered, both in religious and temporal matters, and the authors of these distinct wrongs being the same persons, he did not nicely discriminate between the acts which he did as a patriot and the acts which he did as a Puritan. And so as regards Irishmen, they do not, cannot, distinguish between their love of Ireland and their love of religion; their patriotism is religious, and their religion is strongly tinctured with patriotism; and it is hard to recognize the abstract and ideal Ultramontane, pure and simple, in the concrete exhibition of him in flesh and blood as found in the polling booth or in his chapel. I do not see how the Pope can be made answerable for him in any of his political acts during the last fifty years.

This leads me to a subject, of which Mr. Gladstone makes a good deal in his Pamphlet. I will say of a great man, whom he quotes, and for whose memory I have a great respect, I mean Bishop Doyle, that there was just a little tinge of patriotism in the way in which, on one occasion, he speaks of the Pope. I dare say any of us would have done the

same, in the heat of a great struggle for national liberty, for he said nothing but what was true and honest ; I only mean that the energetic language which he used was not exactly such as would have suited the atmosphere of Rome. He says to Lord Liverpool, " We are taunted with the proceedings of Popes. What, my Lord, have we Catholics to do with the proceedings of Popes, or why should we be made accountable for them?" p. 27. Now, with some proceedings of Popes, we Catholics have very much to do indeed; but, if the context of his words is consulted, I make no doubt it will be found that he was referring to certain proceedings of certain Popes, when he said that Catholics had no part of their responsibility. Assuredly there are certain acts of Popes in which no one would like to have part. Then, again, his words require some pious interpretation when he says that " the allegiance due to the king and the allegiance due to the Pope, are as distinct and as divided in their nature as any two things can possibly be," p. 30. Yes, in their nature, in the abstract, but not in the particular case ; for a heathen State might bid me throw incense upon the altar of Jupiter, and the Pope would bid me not to do so. I venture to make the same remark on the Address of the Irish Bishops to their clergy and laity, quoted at p. 31, and on the Declaration of the Vicars Apostolic in England, *ibid.*

But I must not be supposed for an instant to mean, in what I have said, that the venerable men, to whom I have referred, were aware of any ambiguity either in such statements as the above, or in others which were denials of the Pope's infallibility. Indeed, one of them at an earlier date, 1793, Dr. Troy, Archbishop of Dublin, had introduced into one of his Pastorals the subject, which Mr. Gladstone considers they so summarily disposed of. The Archbishop says :—" Many Catholics contend that the Pope, when teaching the universal Church, as their supreme visible head and pastor, as successor to St. Peter, and heir to the promises of special assistance made to him by Jesus Christ, is infallible ; and that his decrees and decisions in that capacity are to be respected as rules of faith, when they are dogma-

tical or confined to doctrinal points of faith and morals. Others deny this, and require the expressed or tacit acquiescence of the Church, assembled or dispersed, to stamp infallibility on his dogmatical decrees. Until the Church shall decide upon this question of the Schools, either opinion may be adopted by individual Catholics, without any breach of Catholic communion or peace. The Catholics of Ireland have lately declared, that it is not an article of the Catholic faith; nor are they thereby required to believe or profess that the Pope is infallible, without adopting or abjuring either of the recited opinions which are open to discussion, while the Church continues silent about them." The Archbishop thus addressed his flock, at the time when he was informing them that the Pope had altered the oath which was taken by the Catholic Bishops.

As to the language of the Bishops in 1826, we must recollect that at that time the clergy, both of Ireland and England, were educated in Gallican opinions. They took those opinions for granted, and they thought, if they went so far as to ask themselves the question, that the definition of Papal Infallibility was simply impossible. Even among those at the Vatican Council, who themselves personally believed in it, I believe there were Bishops who, until the actual definition had been passed, thought that such a definition could not be made. Perhaps they would argue that, though the historical evidence was sufficient for their own personal conviction, it was not sufficiently clear of difficulties to make it safe to impose it on Catholics as a dogma. Much more would this be the feeling of the Bishops in 1826. "How," they would ask, "can it ever come to pass that a majority of our order should find it their duty to relinquish their prime prerogative, and to make the Church take the shape of a pure monarchy?" They would think its definition as much out of the question, as that, in twenty-five years after their time, there would be a hierarchy of thirteen Bishops in England, with a Cardinal for Archbishop.

But, all this while, such modes of thinking were foreign altogether to the minds of the *entourage* of the Holy See. Mr. Gladstone himself says, and the Duke of Wellington

and Sir Robert Peel must have known it as well as he, "The Popes have kept up, with comparatively little intermission, for well nigh a thousand years, their claim to dogmatic infallibility," p. 28. Then, if the Pope's claim to infallibility was so patent a fact, could they ever suppose that he could be brought to admit that it was hopeless to turn that claim into a dogma? In truth, those ministers were very little interested in that question; as was said in a Petition or Declaration, signed among others by Dr. Troy, it was "immaterial in a political light;" but, even if they thought it material, or if there were other questions they wanted to ask, why go to Bishop Doyle? If they wanted to obtain some real information about the probabilities of the future, why did they not go to head-quarters? Why did they potter about the halls of Universities in this matter of Papal exorbitances, or rely upon the pamphlets or examinations of Bishops whom they never asked for their credentials? Why not go at once to Rome?

The reason is plain: it was a most notable instance, with a grave consequence, of what is a fixed tradition with us the English people, and a great embarrassment to every administration in their dealings with Catholics. I recollect, years ago, Dr. Griffiths, Vicar Apostolic of the London District, giving me an account of an interview he had with the late Lord Derby, then I suppose Colonial Secretary. I understood him to say that Lord Derby was in perplexity at the time, on some West India matter, in which Catholics were concerned, because he could not find their responsible representative. He wanted Dr. Griffiths to undertake the office, and expressed something of disappointment when the Bishop felt obliged to decline it. A chronic malady has from time to time its paroxysms, and the history on which I am now engaged is a serious instance of it. I think it is impossible that the British government could have entered into formal negociations with the Pope, without its transpiring in the course of them, and its becoming perfectly clear, that Rome could never be a party to such a pledge as England wanted, and that no pledge from Catholics was of any value to which Rome was not a party.

But no; they persisted in an enterprise which was hopeless in its first principle, for they thought to break the indissoluble tie which bound together the head and the members,—and doubtless Rome felt the insult, though she might think it prudent not to notice it. France was not the keystone of the ecumenical power, though her Church was so great and so famous; nor could the hierarchy of Ireland, in spite of its fidelity to the Catholic faith, give any pledge of the future to the statesmen who required one; there was but one See, whose word was worth anything in the matter, "that church" (to use the language of the earliest of our Doctors) "to which the faithful all round about are bound to have recourse." Yet for three hundred years it has been the official rule with England to ignore the existence of the Pope, and to deal with Catholics in England, not as his children, but as sectaries of the Roman Catholic persuasion. Napoleon said to his envoy, "Treat with the Pope as if he was master of 100,000 men." So clearly did he, from mere worldly sagacity, comprehend the Pope's place in the then state of European affairs, as to say that, "if the Pope had not existed, it would have been well to have created him for that occasion, as the Roman consuls created a dictator in difficult circumstances." (Alison's *Hist.* ch. 35). But we, in the instance of the greatest, the oldest power in Europe, a Church whose grandeur in past history demanded, one would think, some reverence in our treatment of her, the mother of English Christianity, who, whether her subsequent conduct had always been motherly or not, had been a true friend to us in the beginnings of our history, her we have not only renounced, but, to use a familiar word, we have absolutely cut. Time has gone on and we have no relentings; to-day, as little as yesterday, do we understand that pride was not made for man, nor the cuddling of resentments for a great people. I am entering into no theological question: I am speaking all along of mere decent secular intercourse between England and Rome. A hundred grievances would have been set right on their first uprising, had there been a frank diplomatic understanding between two great powers; but, on the contrary, even within the last few weeks, the

present Ministry has destroyed any hope of a better state of things by withdrawing from the Vatican the make-shift channel of intercourse which had of late years been permitted there.

The world's politics has its laws; and such abnormal courses as England has pursued have their *Nemesis*. An event has taken place which, alas, already makes itself felt in issues, unfortunate for English Catholics certainly, but also, as I think, for our country. A great Council has been called; and, as England has for so long a time ignored Rome, Rome, I suppose, it must be said, has in turn ignored England. I do not mean of set purpose ignored, but as the natural consequence of our act. Bishops brought from the corners of the earth, in 1870, what could they know of English blue books and Parliamentary debates in the years 1826 and 1829? It was an extraordinary gathering, and its possibility, its purpose, and its issue, were alike marvellous, as depending on a coincidence of strange conditions, which, as might be said beforehand, never could take place. Such was the long reign of the Pope, in itself a marvel, as being the sole exception to a recognized ecclesiastical tradition. Only a Pontiff so unfortunate, so revered, so largely loved, so popular even with Protestants, with such a prestige of long sovereignty, with such claims on the Bishops around him, both of age and of paternal gracious acts, only such a man could have harmonized and guided to the conclusion, which he pointed out, an assembly so variously composed. And, considering the state of theological opinion seventy years before, not less marvellous was the concurrence of all but a few out of so many hundred Bishops in the theological judgment, so long desired at Rome; the protest made by some eighty or ninety, at the termination of the Council, against the proceedings of the vast majority lying, not against the truth of the doctrine then defined, but against the fact of its definition. Nor less to be noted is the neglect of the Catholic powers to send representatives to the Council, who might have laid before the Fathers its political bearings. For myself, I did not call it inopportune, for times and seasons are known to God alone,

and persecution may be as opportune, though not so pleasant as peace; nor, in accepting as a dogma what I had ever held as a truth, could I be doing violence to any theological view or conclusion of my own; nor has the acceptance of it any logical or practical effect whatever, as I consider, in weakening my allegiance to Queen Victoria; but there are few Catholics, I think, who will not deeply regret, though no one be in fault, that the English and Irish Prelacies of 1826, did not foresee the possibility of the Synodal determinations of 1870, nor will they wonder that Statesmen should feel themselves aggrieved, that stipulations, which they considered necessary for Catholic emancipation should have been, as they may think, rudely cast to the winds.

And now I must pass from the mere accidents of the controversy to its essential points, and I cannot treat them to the satisfaction of Mr. Gladstone, unless I go back a great way, and be allowed to speak of the ancient Catholic Church.

§ 2. The Ancient Church.

When Mr. Gladstone accuses us of "repudiating ancient history," he means the ancient history of the Church; also, I understand him to be viewing that history under a particular aspect. There are many aspects in which Christianity presents itself to us; for instance, the aspect of social usefulness, or of devotion, or again of theology; but, though he in one place glances at the last of these aspects, his own view of it is its relation towards the civil power. He writes "as one of the world at large;" as a "layman who has spent most and the best years of his life in the observation and practice of politics;" p. 7, and, as a statesman, he naturally looks at the Church on its political side. Accordingly, in his title-page, in which he professes to be expostulating with us for accepting the Vatican Decrees, he does so, not for any reason whatever, but because of their incompatibility with our civil allegiance. This is the key-note of his impeachment of us. As a public man, he has only to do with the public action and effect of our Religion, its aspect upon national affairs, on our civil duties, on our foreign interests; and he tells us that our Religion has a bearing and behaviour towards the State utterly unlike that of ancient Christianity, so unlike that we may be said to repudiate what Christianity was in its first centuries, so unlike to what it was then, that we have actually forfeited the proud boast of being "Ever one and the same;" unlike, I say, in this, that our action is so antagonistic to the State's action, and our claims so menacing to civil peace and prosperity. Indeed! then I suppose our Lord and His Apostles, that St. Ignatius of Antioch, and St. Polycarp of Smyrna, and St. Cyprian of Carthage, and St. Laurence of Rome, that St. Alexander and St. Paul of Constantinople, that St. Ambrose of Milan, that Popes Leo, John, Sylverian, Gregory, and Martin, all members of the "undi-

vided Church," cared supremely, and laboured successfully, to cultivate peaceful relations with the government of Rome. They had no doctrines and precepts, no rules of life, no isolation and aggressiveness, which caused them to be considered, in spite of themselves, the enemies of the human race! May I not, without disrespect, submit to Mr. Gladstone that this is very paradoxical? Surely it is our fidelity to the history of our forefathers, and not its repudiation, which Mr. Gladstone dislikes in us. When, indeed, was it in ancient times that the State did not show jealousy of the Church? Was it when Decius and Dioclesian slaughtered their thousands who had abjured the religion of old Rome? or, was it when Athanasius was banished to Treves? or when Basil, on the Imperial Prefect's crying out, "Never before did any man make so free with me," answered, "Perhaps you never before fell in with a Bishop?" or when Chrysostom was sent off to Cucusus, to be worried to death by an Empress? Go through the long annals of Church History, century after century, and say, was there ever a time when her Bishops, and notably the Bishop of Rome, were slow to give their testimony in behalf of the moral and revealed law and to suffer for their obedience to it, or forgot that they had a message to deliver to the world? not the task merely of administering spiritual consolation, or of making the sick-bed easy, or of training up good members of society, and of "serving tables," (though all this was included in their range of duty); but specially and directly to deliver a message to the world, a definite message to high and low, from the world's Maker, whether men would hear or whether they would forbear? The history surely of the Church in all past times, ancient as well as mediæval, is the very embodiment of that tradition of Apostolical independence and freedom of speech which in the eyes of man is her great offence now.

Nay, that independence, I may say, is even one of her Notes or credentials; for where shall we find it except in the Catholic Church? "I spoke of Thy testimonies," says the Psalmist, "even before kings, and I was not ashamed." This verse, I think Dr. Arnold used to say, rose

up in judgment against the Anglican Church, in spite of its real excellences. As to the Oriental Churches, every one knows in what bondage they lie, whether they are under the rule of the Czar or of the Sultan. Such is the actual fact that, whereas it is the very mission of Christianity to bear witness to the Creed and Ten Commandments in a world which is averse to them, Rome is now the one faithful representative, and thereby is heir and successor of that freespoken dauntless Church of old, whose traditions Mr. Gladstone says the said Rome has repudiated.

I have one thing more to say on the subject of the "semper eadem." In truth, this fidelity to the ancient Christian system, seen in modern Rome, was the luminous fact which more than any other turned men's minds at Oxford forty years ago to look towards her with reverence, interest, and love. It affected individual minds variously of course; some it even brought on eventually to conversion, others it only restrained from active opposition to her claims; but no one could read the Fathers, and determine to be their disciple, without feeling that Rome, like a faithful steward, had kept in fulness and in vigour what his own communion had let drop. The Tracts for the Times were founded on a deadly antagonism to what in these last centuries has been called Erastianism or Cæsarism. Their writers considered the Church to be a divine creation, "not of men, neither by man, but by Jesus Christ," the Ark of Salvation, the Oracle of Truth, the Bride of Christ, with a message to all men every where, and a claim on their love and obedience; and, in relation to the civil power, the object of that promise of the Jewish prophets, "Behold, I will lift up My Hand to the Gentiles, and will set up My standard to the peoples, kings and their queens shall bow down to thee with their face toward the earth, and they shall lick up the dust of thy feet." No Ultramontane (so called) could go beyond those writers in the account which they gave of her from the Prophets, and that high notion is recorded beyond mistake in a thousand passages of their writings.

There is a fine passage of Mr. Keble's in the British Critic, in animadversion upon a contemporary reviewer. Mr.

Hurrell Froude, speaking of the Church of England, had said that "she was 'united' to the State as Israel to Egypt." This shocked the reviewer in question, who exclaimed in consequence, "The Church is *not* united to the State as Israel to Egypt; it is united as a believing *wife* to a *husband* who threatened to apostatize; and, as a Christian wife so placed would act . . clinging to the connection . . so the Church must struggle even now, and save, not herself, but the State,, from the crime of a *divorce.*" On this Mr. Keble says, "We had thought that the Spouse of the Church was a very different Person from any or all States, and her relation to the State through Him *very unlike that of hers, whose duties are summed up in 'love, service, cherishing, and obedience.'* And since the one is exclusively of this world, the other essentially of the eternal world, *such an Alliance* as the above sentence describes, would have seemed to us, *not only fatal, but monstrous!*"* And he quotes the lines,—

> "Mortua quinetiam jungebat corpora vivis,
> Componens manibusque manus, atque oribus ora:
> Tormenti genus!"

It was this same conviction that the Church had rights which the State could not touch, and was prone to ignore, and which in consequence were the occasion of great troubles between the two, that led Mr. Froude at the beginning of the movement to translate the letters of St. Thomas Becket, and Mr. Bowden to write the Life of Hildebrand. As to myself, I will but refer, as to one out of many passages with the same drift, in the books and tracts which I published at that time, to my Whit-Monday and Whit-Tuesday Sermons.

I believe a large number of members of the Church of England at this time are faithful to the doctrine which was proclaimed within its pale in 1833, and following years; the main difference between them and Catholics being, not as

* Review of Gladstone's "*The State in its Relations with the Church*," October, 1839.

to the existence of certain high prerogatives and spiritual powers in the Christian Church, but that the powers which we give to the Holy See, they lodge in her Bishops and Priests, whether as a body or individually. Of course, this is a very important difference, but it does not enter into my argument here. It does seem to me preposterous to charge the Catholic Church of to-day with repudiating ancient history by certain political acts of hers, and thereby losing her identity, when it was her very likeness in political action to the Church of the first centuries, that has in our time attracted even to her communion, or at least to her teaching, not a few educated men, who made those first centuries their special model.

But I have more to say on this subject, perhaps too much, when I go on, as I now do, to contemplate the Christian Church, when persecution was exchanged for establishment, and her enemies became her children. As she resisted and defied her persecutors, so she ruled her convert people. And surely this was but natural, and will startle those only to whom the subject is new. If the Church is independent of the State, so far as she is a messenger from God, therefore, should the State, with its high officials and its subject masses, come into her communion, it is plain that they must at once change hostility into submission. There was no middle term; either they must deny her claim to divinity or humble themselves before it,—that is, as far as the domain of religion extends, and that domain is a wide one. They could not place God and man on one level. We see this principle carried out among ourselves in all sects every day, though with greater or less exactness of application, according to the supernatural power which they ascribe to their ministers or clergy. It is a sentiment of nature, which anticipates the inspired command, "Obey them that have the rule over you, and submit yourselves, for they watch for your souls."

As regards the Roman Emperors, immediately on their becoming Christians, their exaltation of the hierarchy was in proportion to its abject condition in the heathen period.

Grateful converts felt that they could not do too much in its honour and service. Emperors bowed the head before the Bishops, kissed their hands and asked their blessing. When Constantine entered into the presence of the assembled Prelates at Nicæa, his eyes fell, the colour mounted up into his cheek, and his mien was that of a suppliant; he would not sit, till the Bishops bade him, and he kissed the wounds of the Confessors. He set the example for the successors of his power, nor did the Bishops decline such honours. Emperors' wives served them at table; when they did wrong, they did penance and asked forgiveness. When they quarrelled with them, and would banish them, their hand trembled when they came to sign the order, and refused to do its office, and after various attempts they gave up their purpose. Soldiers raised to sovereignty asked their recognition and were refused it. Cities under imperial displeasure sought their intervention, and the master of thirty legions found himself powerless to withstand the feeble voice of some aged travel-stained stranger.

Laws were passed in favour of the Church; Bishops could only be judged by Bishops, and the causes of their clergy were withdrawn from the secular courts. Their sentence was final, as if it were the Emperor's own, and the governors of provinces were bound to put it in execution. Litigants everywhere were allowed the liberty of referring their cause to the tribunal of the Bishops, who, besides, became arbitrators on a large scale in private quarrels; and the public, even heathens, wished it so. St. Ambrose was sometimes so taken up with business of this sort, that he had time for nothing else. St. Austin and Theodoret both complain of the weight of such secular engagements, as forced upon them by the importunity of the people. Nor was this all; the Emperors showed their belief in the divinity of the Church and of its creed by acts of what we should now call persecution. Jews were forbidden to proselytize a Christian; Christians were forbidden to become pagans; pagan rites were abolished, the books of heretics and infidels were burned wholesale; their chapels were razed to the ground, and even their private meetings were made illegal.

These characteristics of the convert Empire were the immediate, some of them the logical, consequences, of its new faith. Had not the Emperors honoured Christianity in its ministers and in its precepts, they would not properly have deserved the name of converts. Nor was it unreasonable in litigants voluntarily to frequent the episcopal tribunals, if they got justice done to them there better than in the civil courts. As to the prohibition of heretical meetings, I cannot get myself quite to believe that Pagans, Marcionites, and Manichees had much tenderness of conscience in their religious profession, or were wounded seriously by the Imperial rescript to their disadvantage. Many of these sects were of a most immoral character, whether in doctrine or practice; others were forms of witchcraft; often they were little better than paganism. The Novatians certainly stand on higher ground; but on the whole, it would be most unjust to class such wild, impure, inhuman rites with even the most extravagant and grotesque of American sectaries now. They could entertain no bitter feeling that injustice was done them in their repression. They did not make free thought or private judgment their watch words. The populations of the Empire did not rise in revolt when its religion was changed. There were two broad conditions which accompanied the grant of all this ecclesiastical power and privilege, and made the exercise of it possible; first, that the people consented to it, secondly, that it was enforced by the law of the Empire. High and low opened the door to it. The Church of course would say that such prerogatives were rightfully hers, as being at least congruous grants made to her, on the part of the State, in return for the benefits which she bestowed upon it. It was her right to demand them, and the State's duty to concede them. This seems to have been the basis of the new state of society. And in fact these prerogatives were in force and in exercise all through those troublous centuries which followed the break-up of the Imperial sway: and, though the handling of them at length fell into the hands of one see exclusively (on which I shall remark presently), the see of Peter, yet the substance and character of these prerogatives, and the Church's claim to

possess them, remained untouched. The change in the internal allocation of power did not affect the existence and the use of the power itself.

Ranke, speaking of this development of ecclesiastical supremacy upon the conversion of the Empire, remarks as follows:

"It appears to me that this was the result of an internal necessity. The rise of Christianity involved the liberation of religion from all political elements. From this followed the growth of a distinct ecclesiastical class with a peculiar constitution. In this separation of the Church from the State consists, perhaps, the greatest, the most pervading and influential peculiarity of all Christian times. The spiritual and secular powers may come into near contact, may even stand in the closest community; but they can be thoroughly incorporated only at rare conjunctures and for a short period. Their mutual relations, their position with regard to each other, form, from this time forward, one of the most important considerations in all history."—*The Popes*, vol. i., p. 10, *transl.*

§ 3. The Papal Church.

Now we come to the distinctive doctrine of the Catholic Religion, the doctrine which separates us from all other denominations of Christians however near they may approach to us in other respects, the claims of the see of Rome, which have given occasion to Mr. Gladstone's Pamphlet and to the remarks which I am now making upon it. Of those rights, prerogatives, privileges, and duties, which I have been surveying in the ancient Church, the Pope is the heir. I shall dwell now upon this point, as far as it is to my purpose to do so, not treating it theologically (else I must define and prove from Scripture and the Fathers the "Primatus jure divino Romani Pontificis"), but historically, because Mr. Gladstone appeals to history. Instead of treating it theologically I wish to look with (as it were) secular, or even non-Catholic eyes at the powers claimed during the last thousand years by the Pope—that is, only as they lie in the nature of the case, and in the surface of the facts which come before us in history.

1. I say then the Pope is the heir of the Ecumenical Hierarchy of the fourth century, as being, what I may call, heir by default. No one else claims or exercises its rights or its duties. Is it possible to consider the Patriarch of Moscow or of Constantinople, heir to the historical pretensions of St. Ambrose or St. Martin? Does any Anglican Bishop for the last 300 years recall to our minds the image of St. Basil? Well, then, has all that ecclesiastical power, which makes such a show in the Christian Empire, simply vanished, or, if not, where is it to be found? I wish Protestants would throw themselves into our minds upon this point; I am not holding an argument with them; I am only wishing them to understand where we stand and how we look at things. There is this great difference of belief between us and them: they do not believe that Christ set up a visible society, or rather

kingdom, for the propagation and maintenance of His religion, for a necessary home and refuge of His people; but we do. We know the kingdom is still on earth: where is it? If all that can be found of it is what can be discerned at Constantinople or Canterbury, I say, it has disappeared; and either there was a radical corruption of Christianity from the first, or Christianity came to an end, in proportion as the type of the Nicene Church faded out of the world: for all that we know of Christianity, in ancient history, as a concrete fact, is the Church of Athanasius and his fellows: it is nothing else historically but that bundle of phenomena, that combination of claims, prerogatives, and corresponding acts, some of which I have recounted above. There is no help for it; we cannot take as much as we please, and no more, of an institution which has a monadic existence. We must either give up the belief in the Church as a divine institution altogether, or we must recognize it in that communion of which the Pope is the head. With him alone and round about him are found the claims, the prerogatives, and duties which we identify with the kingdom set up by Christ. We must take things as they are; to believe in a Church, is to believe in the Pope. And thus this belief in the Pope and his attributes, which seems so monstrous to Protestants, is bound up with our being Catholics at all; as our Catholicism is with our Christianity. There is nothing then of wanton opposition to the powers that be, no dinning of novelties in their startled ears in what is often unjustly called Ultramontane doctrine; there is no pernicious servility to the Pope in our admission of his pretensions. I say, we cannot help ourselves—Parliament may deal as harshly with us as it will; we should not believe in the Church at all, unless we believed in its visible head.

So it is; the course of ages has fulfilled the prophecy and promise, "Thou art Peter, and upon this rock I will build My Church; and whatsoever thou shalt bind on earth, shall be bound in heaven, and whatsoever thou shalt loose on earth shall be loosed in heaven." That which in substance was possessed by the Nicene Hierarchy, that the Pope claims now. I do not wish to put difficulties in my way;

but I cannot conceal or smooth over what I believe to be a simple truth, though the avowal of it will be very unwelcome to Protestants, and, as I fear, to some Catholics. However, I do not call upon another to believe all that I believe on the subject myself. I declare it, as my own judgment, that the prerogatives, such as, and, in the way in which, I have described them in substance, which the Church had under the Roman Power, those she claims now, and never, never will relinquish; claims them, not as having received them from a dead Empire, but partly by the direct endowment of her Divine Master, and partly as being a legitimate outcome of that endowment; claims them, but not except from Catholic populations, not as if accounting the more sublime of them to be of every-day use, but holding them as a protection or remedy in great emergencies or on supreme occasions, when nothing else will serve, as extraordinary and solemn acts of her religious sovereignty. And our Lord, seeing what would be brought about by human means, even had He not willed it, and recognizing, from the laws which He Himself had imposed upon human society, that no large community could be strong which had no head, spoke the word in the beginning, as He did to Judah, "Thou art he whom thy brethren shall praise," and then left it to the course of events to fulfil it.

2. Mr. Gladstone ought to have chosen another issue for attack upon us, than the Pope's power. His real difficulty lies deeper; as little permission as he allows to the Pope, would he allow to any ecclesiastic who would wield the weapons of St. Ambrose and St. Augustine. That concentration of the Church's powers which history brings before us should not be the object of his special indignation. It is not the existence of a Pope, but of a Church, which is his aversion. It is the powers, and not their distribution and allocation in the ecclesiastical body which he writes against. A triangle or parallelogram is the same in its substance and nature, whichever side is made its base. "The Pontiffs," says Mr. Bowden, who writes as an Anglican, "exalted to the kingly throne of St. Peter, did not so much claim new privileges for themselves, as deprive their episcopal brethren of privi-

leges originally common to the hierarchy. Even the titles by which those autocratical prelates, in the plenitude of their power, delighted to style themselves, 'Summus Sacerdos,' 'Pontifex Maximus,' 'Vicarius Christi,' 'Papa' itself, had, nearer to the primitive times, been the honourable appellations of every bishop; as "Sedes Apostolica" had been the description of every Bishop's throne. The ascription of these titles, therefore, to the Pope only gave to the terms new force, because that ascription became exclusive; because, that is, the bishops in general were stripped of honours, to which their claims were as well founded as those of their Roman brother, who became, by the change, not so strictly universal as sole Bishop." (*Greg.* vii. vol. i. p. 64.)

Say that the Christian polity remained, as history represents it to us in the fourth century, or that now it was, if that was possible, to revert to such a state, would politicians have less trouble with 1800 centres of power than they have with one? Instead of one, with traditionary rules, the trammels of treaties and engagements, public opinion to consult and manage, the responsibility of great interests, and the guarantee for his behaviour in his temporal possessions, there would be a legion of ecclesiastics, each bishop with his following, each independent of the others, each with his own views, each with extraordinary powers, each with the risk of misusing them, all over Christendom. It would be the Anglican theory, made real. It would be an ecclesiastical communism; and, if it did not benefit religion, at least it would not benefit the civil power. Take a small illustration:—what interruption at this time to Parliamentary proceedings, does a small zealous party occasion, which its enemies call a "mere handful of clergy;" and why? Because its members are responsible for what they do to God alone and to their conscience as His voice. Even suppose it was only here or there that episcopal autonomy was vigorous; yet consider what zeal is kindled by local interests and national spirit. One John of Tuam, with a Pope's full apostolic powers, would be a greater trial to successive ministries than an Ecumenical Bishop at Rome. Parliament understands this well, for it exclaims against the Sacerdotal

principle. Here, for a second reason, if our Divine Master has given those great powers to the Church, which ancient Christianity testifies, we see why His Providence has also provided that the exercise of them should be concentrated in one see.

But, anyhow, the progress of concentration was not the work of the Pope ; it was brought about by the changes of times and the vicissitudes of nations. It was not his fault that the Vandals swept away the African sees, and the Saracens those of Syria and Asia Minor, or that Constantinople and its dependencies became the creatures of Imperialism, or that France, England, and Germany would obey none but the author of their own Christianity, or that clergy and people at a distance were obstinate in sheltering themselves under the majesty of Rome against their own fierce kings and nobles or imperious bishops, even to the imposing forgeries on the world and on the Pope in justification of their proceedings. All this will be fact, whether the Popes were ambitious or not ; and still it will be fact that the issue of that great change was a great benefit to the whole of Europe. No one but a Master, who was a thousand bishops in himself at once, could have tamed and controlled, as the Pope did, the great and little tyrants of the middle age.

3. This is generally confessed now, even by Protestant historians, viz., that the concentration of ecclesiastical power in those centuries was simply necessary for the civilization of Europe. Of course it does not follow that the benefits rendered then to the European commonwealth by the political supremacy of the Pope, would, if he was still supreme, be rendered in time to come. I have no wish to make assumptions ; yet conclusions short of this will be unfavourable to Mr. Gladstone's denunciation of him. We reap the fruit at this day of his services in the past. With the purpose of showing this I make a rather long extract from Dean Milman's "Latin Christianity ;" he is speaking of the era of Gregory I, and he says, the Papacy, "was the only power which lay not entirely and absolutely prostrate before the disasters of the times—a power which had an inherent

strength, and might resume its majesty. It was this power which was most imperatively required to preserve all which was to survive out of the crumbling wreck of Roman civilization. To Western Christianity was absolutely necessary a centre, standing alone, strong in traditionary reverence, and in acknowledged claims to supremacy. Even the perfect organization of the Christian hierarchy might in all human probability have fallen to pieces in perpetual conflict: it might have degenerated into a half secular feudal caste, with hereditary benefices more and more entirely subservient to the civil authority, a priesthood of each nation or each tribe, gradually sinking to the intellectual or religious level of the nation or tribe. On the rise of a power both controlling and conservative hung, humanly speaking, the life and death of Christianity—of Christianity as a permanent, aggressive, expansive, and, to a certain extent, uniform system. There must be a counterbalance to barbaric force, to the unavoidable anarchy of Teutonism, with its tribal, or at the utmost national independence, forming a host of small, conflicting, antagonistic kingdoms. All Europe would have been what England was under the Octarchy, what Germany was when her emperors were weak; and even her emperors she owed to Rome, to the Church, to Christianity. Providence might have otherwise ordained; but it is impossible for man to imagine by what other organising or consolidating force the commonwealth of the Western nations could have grown up to a discordant, indeed, and conflicting league, but still a league, with that unity and conformity of manners, usages, laws, religion, which have made their rivalries, oppugnancies, and even their long ceaseless wars, on the whole to issue in the noblest, highest, most intellectual form of civilization known to man...It is impossible to conceive what had been the confusion, the lawlessness, the chaotic state of the middle ages, without the medieval Papacy; and of the medieval Papacy the real father is Gregory the Great. In all his predecessors there was much of the uncertainty and indefiniteness of a new dominion. ...Gregory is the Roman altogether merged in the Christian Bishop. It is a Christian dominion, of which he

lays the foundations in the Eternal City, not the old Rome, associating Christian influence to her ancient title of sovereignty." (Vol. i., p. 401, 2.)

4. From Gregory I. to Innocent III. is six hundred years; —a very fair portion of the world's history, to have passed in doing good of primary importance to a whole continent, and that the continent of Europe; good, by which all nations and their governors, all statesmen and legislatures, are the gainers. And, again, should it not occur to Mr. Gladstone that these services were rendered to mankind by means of those very instruments of power on which he thinks it proper to pour contempt as "rusty tools?" The right to warn and punish powerful men, to excommunicate kings, to preach aloud truth and justice to the inhabitants of the earth, to denounce immoral doctrines, to strike at rebellion in the garb of heresy, were the very weapons by which Europe was brought into a civilized condition; yet he calls them "rusty tools" which need "refurbishing." Does he wish then that such high expressions of ecclesiastical displeasure, such sharp penalties, should be of daily use? If they are rusty, because they have been long without using, then have they ever been rusty. Is a Council a rusty tool, because none had been held, till 1870, since the sixteenth century? or because there had been but nineteen in 1900 years? How many times is it in the history of Christianity that the Pope has solemnly drawn and exercised his sword upon a king or an emperor? If an extraordinary weapon must be a rusty tool, I suppose Gregory VII.'s sword was not keen enough for the German Henry; and the seventh Pius too used a rusty tool in his excommunication of Napoleon. How could Mr. Gladstone ever "fondly think that Rome had disused" her weapons, and that they had hung up as antiquities and curiosities in her celestial armoury,—or, in his own words, as "hideous mummies," p. 46,—when the passage of arms between the great Conqueror and the aged Pope was so close upon his memory! Would he like to see a mummy come to life again? That unexpected miracle actually took place in the first years of this century. Gregory was considered to have done an astounding deed in

the middle ages, when he brought Henry, the German Emperor, to do penance and shiver in the snow at Canossa; but Napoleon had his snow-penance too, and that with an actual interposition of Providence in the infliction of it. I describe it in the words of Alison :—

"'What does the Pope mean,' said Napoleon to Eugene, in July, 1807, 'by the threat of excommunicating me? does he think the world has gone back a thousand years? Does he suppose the arms will fall from the hands of my soldiers?' Within two years after these remarkable words were written, the Pope did excommunicate him, in return for the confiscation of his whole dominions, and in less than four years more, the arms did fall from the hands of his soldiers; and the hosts, apparently invincible, which he had collected were dispersed and ruined by the blasts of winter. 'The weapons of the soldiers,' says Segur, in describing the Russian retreat, 'appeared of an insupportable weight to their stiffened arms. During their frequent falls they fell from their hands, and destitute of the power of raising them from the ground, they were left in the snow. They did not throw them away: famine and cold tore them from their grasp.' 'The soldiers could no longer hold their weapons,' says Salgues, 'they fell from the hands even of the bravest and most robust. The muskets dropped from the frozen arms of those who bore them.'" (*Hist.* ch. lx., 9th ed.)

Alison adds—"There is something in these marvellous coincidences beyond the operations of chance, and which even a Protestant historian feels himself bound to mark for the observation of future ages. The world has not gone back a thousand years, but that Being existed with whom a thousand years are as one day, and one day as a thousand years." As He was with Gregory in 1077, so He was with Pius in 1812, and He will be with some future Pope again, when the necessity shall come.

5. In saying this, I am far from saying that Popes are never in the wrong, and are never to be resisted; or that their excommunications always avail. I am not bound to defend the policy or the acts of particular Popes, whether before or after the

great revolt from their authority in the 16th century. There is no reason that I should contend, and I do not contend, for instance, that they at all times have understood our own people, our national character and resources, and our position in Europe; or that they have never suffered from bad counsellors or misinformation. I say this the more freely, because Urban VIII., about the year 1641 or 1642, blamed the policy of some Popes of the preceding century in their dealings with our country.*

But, whatever we are bound to allow to Mr. Gladstone on this head, that does not warrant the passionate invective against the Holy See and us individually, which he has carried on through sixty-four pages. What we have a manifest right to expect from him is lawyer-like exactness and logical consecutiveness in his impeachment of us. The heavier that is, the less does it need the exaggerations of a great orator. If the Pope's conduct towards us three centuries ago has righteously wiped out the memory of his earlier benefits, yet he should have a fair trial. The more intoxicating was his solitary greatness, when it was in the zenith, the greater consideration should be shown towards him in his present temporal humiliation, when concentration of ecclesiastical functions in one man, does but make him, in the presence of the haters of Catholicism, what a Roman Emperor contemplated, when he wished all his subjects had but one neck that he might destroy them by one blow. Surely, in the trial of so august a criminal, one might have hoped, at least, to have found gravity and measure in language, and calmness in tone—not a pamphlet written as if on impulse, in defence of an incidental parenthesis in a previous publication,

* "When he was urged to excommunicate the Kings of France and Sweden, he made answer, 'We may declare them excommunicate, as Pius V. declared Queen Elizabeth of England, and before him Clement VII. the King of England, Henry VIII. . . but with what success? The whole world can tell. We yet bewail it with tears of blood. Wisdom does not teach us to imitate Pius V. or Clement VII., but Paul V. who, in the beginning, being many times urged by the Spaniards to excommunicate James King of England, never would consent to it'" (State Paper Office, *Italy*, 1641—1662). *Vide* Mr. Simpson's very able and careful life of Campion, 1867, p. 371.

and then, after having been multiplied in 22,000 copies, appealing to the lower classes in the shape of a sixpenny tract, the lowness of the price indicating the width of the circulation. Surely Nana Sahib will have more justice done to him by the English people, than has been shown to the Father of European civilization.

6. I have been referring to the desolate state in which the Holy See has been cast during the last years, such that the Pope, humanly speaking, is at the mercy of his enemies, and morally a prisoner in his palace. A state of such secular feebleness cannot last for ever; sooner or later there will be, in the divine mercy, a change for the better, and the Vicar of Christ will no longer be a mark for insult and indignity. But one thing, except by an almost miraculous interposition, cannot be; and that is, a return to the universal religious sentiment, the public opinion, of the medieval time. The Pope himself calls those centuries "the ages of faith." Such endemic faith may certainly be decreed for some future time; but, as far as we have the means of judging at present, centuries must run out first. Even in the fourth century the ecclesiastical privileges, claimed on the one hand, granted on the other, came into effect more or less under two conditions, that they were recognized by public law, and that they had the consent of the Christian populations. Is there any chance whatever, except by miracles which were not granted then, that the public law and the inhabitants of Europe will allow the Pope that exercise of his rights, which they allowed him as a matter of course in the 11th and 12th centuries? If the whole world will at once answer No, it is surely inopportune to taunt us with the acts of medieval Popes in the case of certain princes and nobles, when the sentiment of Europe was radically Papal. How does the past bear upon the present in this matter? Yet Mr. Gladstone is in earnest alarm, earnest with the earnestness which distinguishes him as a statesman, at the harm which society may receive from the Pope, at a time when the Pope can do nothing. He grants (p. 46) that "the fears are visionary . . that either foreign foe or domestic treason can, at the bidding of the Court of Rome,

disturb these peaceful shores;" he allows that "in the middle ages the Popes contended, not by direct action of fleets and armies," but mainly "by interdicts," p. 35. Yet, because men then believed in interdicts, though now they don't, therefore the civil Power is to be roused against the Pope. But his *animus* is bad; his *animus!* what can *animus* do without matter to work upon? Mere *animus*, like big words, breaks no bones.

As if to answer Mr. Gladstone by anticipation, and to allay his fears, the Pope made a declaration three years ago on the subject, which, strange to say, Mr. Gladstone quotes without perceiving that it tells against the very argument, which he brings it to corroborate;—that is, except as the Pope's *animus* goes. Doubtless he would wish to have the place in the political world which his predecessors had, because it was given to him by Providence, and is conducive to the highest interests of mankind; but he distinctly tells us that he has not got it, and cannot have it, till a time comes, of the prospect of which we are as good judges as he can be, and which we say cannot come, at least for centuries. He speaks of what is his highest political power, that of interposing in the quarrel between a prince and his subjects, and of declaring upon appeal made to him from them, that the Prince had or had not forfeited their allegiance. This power, most rarely exercised, and on very extraordinary occasions, and without any aid of infallibility in the exercise of it, any more than the civil power possesses that aid, it is not necessary for any Catholic to believe; and I suppose, comparatively speaking, few Catholics do believe it; to be honest, I must say, I do; that is, under the conditions which the Pope himself lays down in the declaration to which I have referred, his answer to the address of the Academia. He speaks of his right "to depose sovereigns, and release the people from the obligation of loyalty, a right which had undoubtedly sometimes been exercised in crucial circumstances," and he says, "This right (*diritto*) in those ages of faith,—(which discerned in the Pope, what he is, that is to say, the Supreme Judge of Christianity, and recognized the advantages of his tribunal in the great contests of peoples and sovereigns)—was freely

extended,—(aided indeed as a matter of duty by the public law (*diritto*) and by the common consent of peoples)—to the most important (*i piu gravi*) interests of states and their rulers." (Guardian, *Nov.* 11, 1874).

Now let us observe how the Pope restrains the exercise of this right. He calls it his right—that is, in the sense in which right in one party is correlative with duty in the other, so that, when the duty is not observed, the right cannot be brought into exercise ; and this is precisely what he goes on to intimate ; for he lays down the conditions of of that exercise. First it can only be exercised in rare and critical circumstances (*supreme circonstanze, i più gravi interessi*). Next he refers to his being the supreme judge of Christianity, and to his decision as coming from a tribunal ; his prerogative then is not a mere arbitrary power, but must be exercised by a process of law and a formal examination of the case, and in the presence and the hearing of the two parties interested in it. Also in this limitation is implied that the Pope's definitive sentence involves an appeal to the supreme standard of right and wrong, the moral law, as its basis and rule, and must contain the definite reasons on which it decides in favour of the one party or the other. Thirdly, the exercise of this right is limited to the ages of faith ; ages which, on the one hand, inscribed it among the provisions of the *jus publicum*, and on the other so fully recognized the benefits it conferred, as to be able to enforce it by the common consent of the peoples. These last words should be dwelt on : it is no consent which is merely local, as of one country, of Ireland or of Belgium, if that were probable ; but a united consent of various nations, of Europe, for instance, as a commonwealth, of which the Pope was the head. Thirty years ago we heard much of the Pope being made the head of an Italian confederation : no word came from England against such an arrangement. It was possible, because the members of it were all of one religion ; and in like manner a European commonwealth would be reasonable, if Europe were of one religion. Lastly, the Pope declares with indignation that a Pope is not infallible in the exercise of this right ; such a notion is an invention of the enemy ; he calls it " malicious."

§ 4. Divided Allegiance.

But one attribute the Church has, and the Pope as head of the Church, whether he be in high estate, as this world goes, or not, whether he has temporal possessions or not, whether he is in honour or dishonour, whether he is at home or driven about, whether those special claims of which I have spoken are allowed or not,—and that is Sovereignty. As God has sovereignty, though He may be disobeyed or disowned, so has His Vicar upon earth; and further than this, since Catholic populations are found everywhere, he ever will be in fact lord of a vast empire; as large in numbers, as far spreading as the British; and all his acts are sure to be such as are in keeping with the position of one who is thus supremely exalted.

I beg not to be interrupted here, as many a reader will interrupt me in his thoughts; for I am using these words, not at random, but as the commencement of a long explanation, and, in a certain sense, limitation, of what I have hitherto been saying concerning the Church's and the Pope's power. To this task the remaining pages, which I have to address to your Grace, will be directed; and I trust that it will turn out, when I come to the end of them, that, by first stating fully what the Pope's claims are, I shall be able most clearly to show what he does not claim.

Now the key-note of Mr. Gladstone's Pamphlet is this:—that, since the Pope claims infallibility in faith and morals, and since there are no "departments and functions of human life which do not and cannot fall within the domain of morals," p. 36, and since he claims also "the domain of all that concerns the government and discipline of the Church," and moreover, "claims the power of determining the limits of those domains," and "does not sever them, by any acknowledged or intelligible line from the

domains of civil duty and allegiance," p. 45, therefore Catholics are moral and mental slaves, and "every convert and member of the Pope's Church places his loyalty and civil duty at the mercy of another," p. 45.

I admit Mr. Gladstone's premisses, but I reject his conclusion; and now I am going to show why I reject it.

In doing this, I shall, with him, put aside for the present the Pope's prerogative of infallibility in general enunciations, whether of faith or morals, and confine myself to the consideration of his authority (in respect to which he is not infallible) in matters of daily conduct, and of our duty of obedience to him. "There is something wider still," he says, (than the claim of infallibility,) "and that is the claim to an Absolute and entire Obedience," p. 37. "Little does it matter to me, whether my Superior claims infallibility, so long as he is entitled to demand and exact conformity," p. 39. He speaks of a third province being opened, "not indeed to the abstract assertion of Infallibility, but to the far more practical and decisive demand of Absolute Obedience," p. 41, "the Absolute Obedience, at the peril of salvation, of every member of his communion," p. 42.

Now, I proceed to examine this large, direct, religious sovereignty of the Pope, both in its relation to his subjects, and to the Civil Power; but first, I beg to be allowed to say just one word on the principle of obedience itself, that is, by way of inquiry, whether it is or is not now a religious duty.

Is there then such a duty at all as obedience to ecclesiastical authority now? or is it one of those obsolete ideas, which are swept away, as unsightly cobwebs, by the New Civilization? Scripture says, "Remember them which have the *rule* over you, who have spoken unto you the word of God, whose faith follow." And, "*Obey* them that have the *rule* over you, and *submit yourselves*; for they watch *for your souls*, as they that must give account, that they may do it with joy and not with grief; for that is unprofitable for you." The margin in the Protestant

Version reads, "those who are your *guides;*" and the word may also be translated "leaders." Well, as rulers, or guides and leaders, whichever word be right, they are to be *obeyed.* Now Mr. Gladstone dislikes our way of fulfilling this precept, whether as regards our choice of ruler and leader, or our "Absolute Obedience" to him; but he does not give us his own. Is there any liberalistic reading of the Scripture passage? Or are the words only for the benefit of the poor and ignorant, not for the *Schola* (as it may be called) of political and periodical writers, not for individual members of Parliament, not for statesmen and Cabinet ministers, and people of Progress? Which party then is the more "Scriptural," those who recognize and carry out in their conduct texts like these, or those who don't? May not we Catholics claim some mercy from Mr. Gladstone, though we be faulty in the object and the manner of our obedience, since in a lawless day an object and a manner of obedience we have? Can we be blamed, if, arguing from those texts which say that ecclesiastical authority comes from above, we obey it in that one form in which alone we find it on earth, in that only person who claims it of us, among all the notabilities of this nineteenth century into which we have been born? The Pope has no rival in his claim upon us; nor is it our doing that his claim has been made and allowed for centuries upon centuries, and that it was he who made the Vatican decrees, and not they him. If we give him up, to whom shall we go? Can we dress up any civil functionary in the vestments of divine authority? Can I, for instance, follow the faith, can I put my soul into the hands, of our gracious Sovereign? or of the Archbishop of Canterbury? or of the Bishop of Lincoln, albeit he is not broad and low, but high? Catholics have "done what they could,"—all that any one could: and it should be Mr. Gladstone's business, before telling us that we are slaves, because we obey the Pope, first of all to tear away those texts from the Bible.

With this preliminary remark, I proceed to consider whether the Pope's authority is either a slavery to his subjects, or a menace to the Civil Power; and first, as to his power over his flock.

1. Mr. Gladstone says that "the Pontiff declares to belong to him the *supreme direction* of Catholics in respect to all duty," p. 37. Supreme direction; true, but "supreme" is not "minute," nor does "direction" mean supervision or "management." Take the parallel of human law; the Law is *supreme*, and the Law *directs* our conduct under the manifold circumstances in which we have to act, and must be absolutely obeyed; but who therefore says that the Law has the "supreme direction" of us? The State, as well as the Church, has the power at its will of imposing laws upon us, laws bearing on our moral duties, our daily conduct, affecting our actions in various ways, and circumscribing our liberties; yet no one would say that the Law, after all, with all its power in the abstract and its executive vigour in fact, interferes either with our comfort or our conscience. There are numberless laws about property, landed and personal, titles, tenures, trusts, wills, covenants, contracts, partnerships, money transactions, life-insurances, taxes, trade, navigation, education, sanitary measures, trespasses, nuisances, all in addition to the criminal law. Law, to apply Mr. Gladstone's words, "is the shadow that cleaves to us, go where we will." Moreover, it varies year after year, and refuses to give any pledge of fixedness or finality. Nor can any one tell what restraint is to come next, perhaps painful personally to himself. Nor are its enactments easy of interpretation; for actual cases, with the speeches and opinions of counsel, and the decisions of judges, must prepare the raw material, as it proceeds from the legislature, before it can be rightly understood; so that "the glorious uncertainty of the Law" has become a proverb. And, after all, no one is sure of escaping its penalties without the assistance of lawyers, and that in such private and personal matters that the lawyers are, as by an imperative duty, bound to a secrecy which even courts of justice respect. And then, besides the Statute Law, there is the common and traditional; and, below this, usage. Is not all this enough to try the temper of a free-born Englishman, and to make him cry out with Mr. Gladstone, "Three-fourths of my life are handed

over to the Law; I care not to ask if there be dregs or tatters of human life, such as can escape from the description and boundary of Parliamentary tyranny?" Yet, though we may dislike it, though we may at times suffer from it ever so much, who does not see that the thraldom and irksomeness is nothing compared with the great blessings which the Constitution and Legislature secure to us?

Such is the jurisdiction which the Law exercises over us. What rule does the Pope claim which can be compared to its strong and its long arm? What interference with our liberty of judging and acting in our daily work, in our course of life, comes to us from him? Really, at first sight, I have not known where to look for instances of his actual interposition in our private affairs, for it is our routine of personal duties about which I am now speaking. Let us see how we stand in this matter.

We are guided in our ordinary duties by the books of moral theology, which are drawn up by theologians of authority and experience, as an instruction for our Confessors. These books are based on the three Christian foundations of Faith, Hope, and Charity, on the Ten Commandments, and on the six Precepts of the Church, which relate to the observance of Sunday, of fast days, of confession and communion, and, in one shape or other, to paying tithes. A great number of possible cases are noted under these heads, and in difficult questions a variety of opinions are given, with plain directions, when it is that private Catholics are at liberty to choose for themselves whatever answer they like best, and when they are bound to follow some one of them in particular. Reducible as these directions in detail are to the few and simple heads which I have mentioned, they are little more than reflexions and memoranda of our moral sense, unlike the positive enactments of the Legislature; and, on the whole, present to us no difficulty—though now and then some critical question may arise, and some answer may be given (just as by the private conscience) which it is difficult to us or painful to accept. And again, cases may occur now and then, when our private judgment differs from what is set down in theological

works, but even then it does not follow at once that our private judgment must give way, for those books are no utterance of Papal authority.

And this is the point to which I am coming. So little does the Pope come into this whole system of moral theology by which (as by our conscience) our lives are regulated, that the weight of his hand upon us, as private men, is absolutely unappreciable. I have had a difficulty where to find a measure or guage of his interposition. At length I have looked through Busenbaum's "Medulla," to ascertain what light such a book would throw upon the question. It is a book of casuistry for the use of Confessors, running to 700 pages, and is a large repository of answers made by various theologians on points of conscience, and generally of duty. It was first published in 1645—my own edition is of 1844—and in the latter are marked those propositions, bearing on subjects treated in it, which have been condemned by Popes in the intermediate 200 years. On turning over the pages I find they are in all between 50 and 60. This list includes matters sacramental, ritual, ecclesiastical, monastic, and disciplinarian, as well as moral, —relating to the duties of ecclesiastics and regulars, of parish priests, and of professional men, as well as of private Catholics. And the condemnations relate for the most part to mere occasional details of duty, and are in reprobation of the lax or wild notions of speculative casuists, so that they are rather restraints upon theologians than upon laymen. For instance, the following are some of the propositions condemned:—"The ecclesiastic, who on a certain day is hindered from saying Matins and Lauds, is not bound to say, if he can, the remaining hours;" "Where there is good cause, it is lawful to swear without the purpose of swearing, whether the matter is of light or grave moment;" "Domestics may steal from their masters, in compensation for their service, which they think greater than their wages;" "It is lawful for a public man to kill an opponent, who tries to fasten a calumny upon him, if he cannot otherwise escape the ignominy." I have taken these instances at random. It must be granted, I think, that in the long

course of 200 years the amount of the Pope's authoritative enunciations has not been such as to press heavily on the back of the private Catholic. He leaves us surely far more than that "one fourth of the department of conduct," which Mr. Gladstone allows us. Indeed, if my account and specimens of his sway over us in morals be correct, I do not see what he takes away at all from our private consciences.

Mr. Gladstone says that the Pope virtually claims to himself the wide domain of conduct, and *therefore* that we are his slaves:—let us see if another illustration or parallel will not show this to be a *non-sequitur*. Suppose a man, who is in the midst of various and important lines of business, has a medical adviser, in whom he has full confidence, as knowing well his constitution. This adviser keeps a careful and anxious eye upon him; and, as an honest man, says to him, "You must not go off on a journey to-day," or "you must take some days' rest," or "you must attend to your diet." Now, this is not a fair parallel to the Pope's hold upon us; for he does not speak to us personally but to all, and in speaking definitively on ethical subjects, what he propounds must relate to things good and bad in themselves, not to things accidental, changeable, and of mere expedience; so that the argument which I am drawing from the case of a medical adviser is *à fortiori* in its character. However, I say that, though a medical man exercises a "supreme direction" of those who put themselves under him, yet we do not therefore say, even of him, that he interferes with our daily conduct, and that we are his slaves. He certainly does thwart many of our wishes and purposes; in a true sense we are at his mercy: he may interfere any day, suddenly; he will not, he cannot, draw any line between his action and our action. The same journey, the same press of business, the same indulgence at table, which he passes over one year, he sternly forbids the next. If Mr. Gladstone's argument is good, he has a finger in all the commercial transactions of the great merchant or financier who has chosen him. But surely there is a simple fallacy here.

Mr. Gladstone asks us whether our political and civil life is not at the Pope's mercy; every act, he says, of at least three-quarters of the day, is under his control. No, not *every*, but *any*, and this is all the difference—that is, we have no guarantee given us that there will never be a case, when the Pope's general utterances may come to have a bearing upon some personal act of ours. In the same way we are all of us in this age under the control of public opinion and the public prints; nay, much more intimately so. Journalism can be and is very personal; and, when it is in the right, more powerful just now than any Pope; yet we do not go into fits, as if we were slaves, because we are under a *surveillance* much more like tyranny than any sway, so indirect, so practically limited, so gentle, as his is.

But it seems the cardinal point of our slavery lies, not simply in the domain of morals, but in the Pope's general authority over us in all things whatsoever. This count in his indictment Mr. Gladstone founds on a passage in the third chapter of the *Pastor æternus*, in which the Pope, speaking of the Pontifical jurisdiction, says:—"Towards it (erga quam) pastors and people of whatsoever rite or dignity, each and all, are bound by the duty of hierarchical subordination and true obedience, not only in matters which pertain to faith and morals, but also in those which pertain to the *discipline* and the *regimen* of the Church spread throughout the world; so that, unity with the Roman Pontiff (both of communion and of profession of the same faith) being preserved, the Church of Christ may be one flock under one supreme Shepherd. This is the doctrine of Catholic truth, from which no one can deviate without loss of faith and salvation."

On Mr. Gladstone's use of this passage I observe first, that he leaves out a portion of it which has much to do with the due understanding of it (ita ut custoditâ, &c.) Next, he speaks of "*absolute* obedience" so often, that any reader, who had not the passage before him, would think that the word "absolute" was the Pope's word, not his. Thirdly, three times (at pp. 38, 41, and 42) does he make the Pope say that no one can *disobey* him without risking his salva-

tion, whereas what the Pope does say is, that no one can *disbelieve* the *duty* of obedience and unity without such risk. And fourthly, in order to carry out this false sense, or rather to hinder its being evidently impossible, he mistranslates, p. 38, "doctrina" (Hæc est doctrina) by the word "rule."

But his chief attack is directed to the words "disciplina" and "regimen." "Thus," he says, "are swept into the Papal net whole multitudes of facts, whole systems of government, prevailing, though in different degrees, in every country of the world," p. 41. That is, *disciplina* and *regimen* are words of such lax, vague, indeterminate meaning, that under them any matters can be slipped in which may be required for the Pope's purpose in this or that country, such as, to take Mr. Gladstone's instances, blasphemy, poor-relief, incorporation and mortmain; as if no definitions were contained in our theological and ecclesiastical works of words in such common use, and as if in consequence the Pope was at liberty to give them any sense of his own. As to discipline, Fr. Perrone says "Discipline comprises the exterior worship of God, the liturgy, sacred rites, psalmody, the administration of the sacraments, the canonical form of sacred elections and the institution of ministers, vows, feast-days, and the like;" all of them (observe) matters internal to the Church, and without any relation to the Civil Power and civil affairs. Perrone adds, "Ecclesiastical discipline is a practical and external rule, prescribed by the Church, in order to retain the faithful in their *faith*, and the more easily lead them on to *eternal happiness*," *Præl. Theol.* t. 2, p. 381, 2nd ed., 1841. Thus discipline is in no sense a political instrument, except as the profession of our faith may accidentally become political. In the same sense Zallinger: "The Roman Pontiff has by divine right the power of passing universal laws pertaining to the *discipline* of the Church; for instance, to divine worship, sacred rites, the ordination and manner of life of the clergy, the order of the ecclesiastical regimen, and the right administration of the temporal possessions of the church."—*Jur. Eccles.*, lib. i., t. 2, § 121.

So too the word "regimen" has a definite meaning, relating to a matter strictly internal to the Church; it means government, or the mode or form of government, or the course of government, and, as, in the intercourse of nation with nation, the nature of a nation's government, whether monarchical or republican, does not come into question, so the constitution of the Church simply belongs to its nature, not to its external action. There are indeed aspects of the Church which involve relations toward secular powers and to nations, as, for instance, its missionary office; but regimen has relation to one of its internal characteristics, viz., its form of government, whether we call it a pure monarchy or with others a monarchy tempered by aristocracy. Thus Tournely says, "Three kinds of regimen or government are set down by philosophers, monarchy, aristocracy, and democracy." *Theol.*, t. 2, p. 100. Bellarmine says the same, *Rom. Pont.* i. 2; and Perrone takes it for granted, *ibid.* pp. 70, 71.

Now, why does the Pope speak at this time of regimen and discipline? He tells us, in that portion of the sentence, which, thinking it of no account, Mr. Gladstone has omitted. The Pope tells us that all Catholics should recollect their duty of obedience to him, not only in faith and morals, but in such matters of regimen and discipline as belong to the universal Church, "so that unity with the Roman Pontiff, both of communion and of profession of the same faith being preserved, the Church of Christ may be one flock under one supreme Shepherd." I consider this passage to be especially aimed at Nationalism: "Recollect," the Pope seems to say, "the Church is one, and that, not only in faith and morals, for schismatics may profess as much as this, but one, wherever it is, all over the world; and not only one, but one and the same, bound together by its one regimen and discipline, and by the same regimen and discipline,—the same rites, the same sacraments, the same usages, and the same one Pastor; and in these bad times it is necessary for all Catholics to recollect, that this doctrine of the Church's individuality and, as it were, personality, is not a mere received opinion or understanding, which

may be entertained or not, as we please, but is a fundamental, necessary truth." This being, speaking under correction, the drift of the passage, I observe that the words "spread throughout the world" or "universal" are so far from turning "discipline and regimen" into what Mr. Gladstone calls a "net," that they contract the range of both of them, not including, as he would have it, "marriage" here, "blasphemy" there, and "poor-relief" in a third country, but noting and specifying that one and the same structure of laws, rites, rules of government, independency, everywhere, of which the Pope himself is the centre and life. And surely this is what every one of us will say with the Pope, who is not an Erastian, and who believes that the Gospel is no mere philosophy thrown upon the world at large, no mere quality of mind and thought, no mere beautiful and deep sentiment or subjective opinion, but a substantive message from above, guarded and preserved in a visible polity.

2. And now I am naturally led on to speak of the Pope's supreme authority, such as I have described it, in its bearing towards the Civil Power all over the world,—various, as the Church is invariable,—a power which as truly comes from God, as his own does.

That collisions can take place between the Holy See and national governments the history of fifteen hundred years teaches us; also, that on both sides there may occur grievous mistakes. But my question all along lies, not with "quicquid delirant reges," but with what, under the circumstance of such a collision, is the duty of those who are both children of the Pope and subjects of the Civil Power. As to the duty of the Civil Power, I have already intimated in my first section, that it should treat the Holy See as an independent sovereign, and if this rule had been observed, the difficulty to Catholics in a country not Catholic, would be most materially lightened. Great Britain recognizes and is recognized by the United States; the two powers have ministers at each other's courts; here is one standing prevention of serious quarrels. Misunderstandings between the two co-ordinate powers may arise; but there

follow explanations, removals of the causes of offence, acts of restitution. In actual collisions, there are conferences, compromises, arbitrations. Now the point to observe here is, that in such cases neither party gives up its abstract rights, but neither party practically insists on them. And each party thinks itself in the right in the particular case, protests against any other view, but still concedes. Neither party says, "I will not make it up with you, till you draw an intelligible line between your domain and mine." I suppose in the Geneva arbitration, though we gave way, we still thought that, in our conduct in the American civil war, we had acted within our rights. I say all this in answer to Mr. Gladstone's challenge to us to draw the line between the Pope's domain and the State's domain in civil or political questions. Many a private American, I suppose, lived in London and Liverpool, all through the correspondence between our Foreign Office and the government of the United States, and Mr. Gladstone never addressed any expostulation to them, or told them they had lost their moral freedom because they took part with their own government. The French, when their late war began, did sweep their German sojourners out of France, (the number, as I recollect, was very great,) but they were not considered to have done themselves much credit by such an act. When we went to war with Russia, the English in St. Petersburg made an address, I think to the Emperor, asking for his protection, and he gave it;—I don't suppose they pledged themselves to the Russian view of the war, nor would he have called them slaves instead of patriots, if they had refused to do so. Suppose England were to send her Ironclads to support Italy against the Pope and his allies, English Catholics would be very indignant, they would take part with the Pope before the war began, they would use all constitutional means to hinder it; but who believes that, when they were once in the war, their action would be anything else than prayers and exertions for a termination of it? What reason is there for saying that they would commit themselves to any step of a treasonable nature, any more than loyal Germans, had

they been allowed to remain in France? Yet, because those Germans would not relinquish their allegiance to their country, Mr. Gladstone, were he consistent, would at once send them adrift.

Of course it will be said that in these cases, there is no double allegiance, and again that the German government did not call upon them, as the Pope might call upon English Catholics, nay command them, to take a side; but my argument at least shows this, that till there comes to us a special, direct command from the Pope to oppose our country, we need not be said to have "placed our loyalty and civil duty at the mercy of another," p. 45. It is strange that a great statesman, versed in the new and true philosophy of compromise, instead of taking a practical view of the actual situation, should proceed against us, like a Professor in the schools, with the "parade" of his "relentless" (and may I add "rusty"?) "logic," p. 23.

I say, *till* the Pope told us to exert ourselves for his cause in a quarrel with this country, as in the time of the Armada, we need not attend to an abstract and hypothetical difficulty:—then and not till then. I add, as before, that, if the Holy See were frankly recognized by England, as other Sovereign Powers are, direct quarrels between the two powers would in this age of the world be rare indeed; and still rarer, their becoming so energetic and urgent as to descend into the heart of the community, and to disturb the consciences and the family unity of private Catholics.

But now, lastly, let us suppose one of these extraordinary cases of direct and open hostility between the two powers actually to occur;—here first, we must bring before us the state of the case. Of course we must recollect, on the one hand, that Catholics are not only bound to allegiance to the British Crown, but have special privileges as citizens, can meet together, speak and pass resolutions, can vote for members of Parliament, and sit in Parliament, and can hold office, all which are denied to foreigners sojourning among us; while on the other hand there is the authority of the Pope, which, though not "absolute" even in religious matters, as Mr. Gladstone would have it to be, has

a call, a supreme call on our obedience. Certainly in the event of such a collision of jurisdictions, there are cases in which we should obey the Pope and disobey the State. Suppose, for instance, an Act was passed in Parliament, bidding Catholics to attend Protestant service every week, and the Pope distinctly told us not to do so, for it was to violate our duty to our faith :—I should obey the Pope and not the Law. It will be said by Mr. Gladstone, that such a case is impossible. I know it is ; but why ask me for what I should do in extreme and utterly improbable cases such as this, if my answer cannot help bearing the character of an axiom ? It is not my fault that I must deal in truisms. The circumferences of State jurisdiction and of Papal are for the most part quite apart from each other ; there are just some few degrees out of the 360 in which they intersect, and Mr. Gladstone, instead of letting these cases of intersection alone, till they occur actually, asks me what I should do, if I found myself placed in the space intersected. If I must answer then, I should say distinctly that did the State tell me in a question of worship to do what the Pope told me not to do, I should obey the Pope, and should think it no sin, if I used all the power and the influence I possessed as a citizen to prevent such a Bill passing the Legislature, and to effect its repeal if it did.

But now, on the other hand, could the case ever occur, in which I should act with the Civil Power, and not with the Pope ? Now, here again, when I begin to imagine instances, Catholics will cry out (as Mr. Gladstone in the case I supposed, cried out in the interest of the other side), that instances never can occur. I know they cannot ; I know the Pope never can do what I am going to suppose ; but then, since it cannot possibly happen in fact, there is no harm in just saying what I should (hypothetically) do, if it did happen. I say then in certain (impossible) cases I should side, not with the Pope, but with the Civil Power. For instance, I believe members of Parliament, or of the Privy Council, take an oath that they would not acknowledge the right of succession of a Prince of Wales, if he became a Catholic. I should not consider the Pope could

release me from that oath had I bound myself by it. Of course, I might exert myself to the utmost to get the act repealed which bound me; again, if I could not, I might retire from Parliament or office, and so rid myself of the engagement I had made; but I should be clear that, though the Pope bade all Catholics to stand firm in one phalanx for the Catholic Succession, still, while I remained in my office, or in my place in Parliament, I could not do as he bade me.

Again, were I actually a soldier or sailor in her Majesty's service, and sent to take part in a war which I could not in my conscience see to be unjust, and should the Pope suddenly bid all Catholic soldiers and sailors to retire from the service, here again, taking the advice of others, as best I could, I should not obey him.

What is the use of forming impossible cases? One can find plenty of them in books of casuistry, with the answers attached in respect to them. In an actual case, a Catholic would, of course, not act simply on his own judgment; at the same time, there are supposable cases in which he would be obliged to go by it solely—viz., when his conscience could not be reconciled to any of the courses of action proposed to him by others.

In support of what I have been saying, I refer to one or two weighty authorities:—

Cardinal Turrecremata says:—"Although it clearly follows from the circumstance that the Pope can err at times, and command things which must not be done, that we are not to be simply obedient to him in all things, that does not show that he must not be obeyed by all when his commands are good. To know in what cases he is to be obeyed and in what not . . it is said in the Acts of the Apostles, 'One ought to obey God rather than man;" therefore, were the Pope to command anything against Holy Scripture, or the articles of faith, or the truth of the Sacraments, or the commands of the natural or divine law, *he ought not to be obeyed*, but in such commands to be passed over (despiciendus)," *Summ. de Eccl.*, pp. 47, 8.

Bellarmine, speaking of resisting the Pope, says:—

"In order to resist and defend oneself no authority is required. . . Therefore, as it is lawful to resist the Pope, if he assaulted a man's person, so it is lawful to resist him, if he assaulted souls, or *troubled the state* (turbanti rempublicam), and much more if he strove to destroy the Church. It is lawful, I say, to resist him, by not doing what he commands, and hindering the execution of his will," *de Rom. Pont.*, ii. 29.

Archbishop Kenrick says:—"His power was given for edification, not for destruction. If he uses it from the love of domination (quod absit) *scarcely will he meet with obedient populations.*"—*Theol. Moral*, t. i., p. 158.

When, then, Mr. Gladstone asks Catholics how they can obey the Queen and yet obey the Pope, since it may happen that the commands of the two authorities may clash, I answer, that it is my *rule*, both to obey the one and to obey the other, but that there is no rule in this world without exceptions, and if either the Pope or the Queen demanded of me an "Absolute Obedience," he or she would be transgressing the laws of human nature and human society. I give an absolute obedience to neither. Further, if ever this double allegiance pulled me in contrary ways, which in this age of the world I think it never will, then I should decide according to the particular case, which is beyond all rule, and must be decided on its own merits. I should look to see what theologians could do for me, what the Bishops and clergy around me, what my confessor; what friends whom I revered: and if, after all, I could not take their view of the matter, then I must rule myself by my own judgment and my own conscience. But all this is hypothetical and unreal.

Here, of course, it will be objected to me, that I am, after all, having recourse to the Protestant doctrine of Private Judgment; not so; it is the Protestant doctrine that Private Judgment is our *ordinary* guide in religious matters, but I use it, in the case in question, in very extraordinary and rare, nay, impossible emergencies. Do not the highest Tories thus defend the substitution of William for James II.? It is a great mistake to suppose our state in the

Catholic Church is so entirely subjected to rule and system, that we are never thrown upon what is called by divines "the Providence of God." The teaching and assistance of the Church does not supply all conceivable needs, but those which are ordinary; thus, for instance, the sacraments are necessary for dying in the grace of God and hope of heaven, yet, when they cannot be got, acts of faith, hope, and contrition, with the desire for those aids which the dying man has not, will convey in substance what those aids ordinarily convey. And so a Catechumen, not yet baptised, may be saved by his purpose and preparation to receive the rite. And so, again, though "Out of the Church there is no salvation," this does not hold in the case of good men who are in invincible ignorance. And so it is also in the case of our ordinations; Chillingworth and Macaulay say that it is morally impossible that we should have kept up for 1800 years an Apostolical succession of ministers without some separation of the chain; and we in answer say that, however true this may be humanly speaking, there has been a special Providence over the Church to secure it. Once more, how else could private Catholics save their souls when there was a Pope and Anti-popes, each severally claiming their allegiance?

§ 5. Conscience.

It seems, then, that there are extreme cases in which Conscience may come into collision with the word of a Pope, and is to be followed in spite of that word. Now I wish to place this proposition on a broader basis, acknowledged by all Catholics, and, in order to do this satisfactorily, as I began with the prophecies of Scripture and the primitive Church, when I spoke of the Pope's prerogatives, so now I must begin with the Creator and His creature, when I would draw out the prerogatives and the supreme authority of Conscience.

I say, then, that the Supreme Being is of a certain character, which, expressed in human language, we call ethical. He has the attributes of justice, truth, wisdom, sanctity, benevolence and mercy, as eternal characteristics in His Nature, the very Law of His being, identical with Himself; and next, when He became Creator, He implanted this Law, which is Himself, in the intelligence of all His rational creatures. The Divine Law, then, is the rule of ethical truth, the standard of right and wrong, a sovereign, irreversible, absolute authority in the presence of men and Angels. "The eternal law," says St. Augustine, "is the Divine Reason or Will of God, commanding the observance, forbidding the disturbance, of the natural order of things." "The natural law," says St. Thomas, "is an impression of the Divine Light in us, a participation of the eternal law in the rational creature." (Gousset, *Theol. Moral.* t. 1, pp. 24, &c.) This law, as apprehended in the minds of individual men, is called "conscience;" and, though it may suffer refraction in passing into the intellectual medium of each, it is not thereby so affected as to lose its character of being the Divine Law, but still has, as such, the prerogative of commanding obedience. "The Divine Law," says Cardinal Gousset, "is the supreme rule

of actions; our thoughts, desires, words, acts, all that man is, is subject to the domain of the law of God; and this law is the rule of our conduct by means of our conscience. Hence it is never lawful to go against our conscience; as the fourth Lateran council says, 'Quidquid fit contra conscientiam, ædificat ad gehennam.'"

This, I know, is very different from the view ordinarily taken of it, both by the science and literature, and by the public opinion, of this day. It is founded on the doctrine that conscience is the voice of God, whereas it is fashionable on all hands now to consider it in one way or another a creation of man. Of course, there are great and broad exceptions to this statement. It is not true of many or most religious bodies of men; especially not of their teachers and ministers. When Anglicans, Wesleyans, the various Presbyterian sects in Scotland, and other denominations among us, speak of conscience, they mean what we mean, the voice of God in the nature and heart of man, as distinct from the voice of Revelation. They speak of a principle planted within us, before we have had any training, though such training and experience is necessary for its strength, growth, and due formation. They consider it a constituent element of the mind, as our perception of other ideas may be, as our powers of reasoning, as our sense of order and the beautiful, and our other intellectual endowments. They consider it, as Catholics consider it, to be the internal witness of both the existence and the law of God. They think it holds of God, and not of man, as an Angel walking on the earth would be no citizen or dependent of the Civil Power. They would not allow, any more than we do, that it could be resolved into any combination of principles in our nature, more elementary than itself; nay, though it may be called, and is, a law of the mind, they would not grant that it was nothing more; I mean, that it was not a dictate, nor conveyed the notion of responsibility, of duty, of a threat and a promise, with a vividness which discriminated it from all other constituents of our nature.

This, at least, is how I read the doctrine of Protestants

as well as of Catholics. The rule and measure of duty is not utility, nor expedience, nor the happiness of the greatest number, nor State convenience, nor fitness, order, and the *pulchrum*. Conscience is not a long-sighted selfishness, nor a desire to be consistent with oneself; but it is a messenger from Him, who, both in nature and in grace, speaks to us behind a veil, and teaches and rules us by His representatives. Conscience is the aboriginal Vicar of Christ, a prophet in its informations, a monarch in its peremptoriness, a priest in its blessings and anathemas, and, even though the eternal priesthood throughout the Church could cease to be, in it the sacerdotal principle would remain and would have a sway.

Words such as these are idle empty verbiage to the great world of philosophy now. All through my day there has been a resolute warfare, I had almost said conspiracy, against the rights of conscience, as I have described it. Literature and science have been embodied in great institutions in order to put it down. Noble buildings have been reared as fortresses against that spiritual, invisible influence which is too subtle for science and too profound for literature. Chairs in Universities have been made the seats of an antagonist tradition. Public writers, day after day, have indoctrinated the minds of innumerable readers with theories subversive of its claims. As in Roman times, and in the middle age, its supremacy was assailed by the arm of physical force, so now the intellect is put in operation to sap the foundations of a power which the sword could not destroy. We are told that conscience is but a twist in primitive and untutored man; that its dictate is an imagination; that the very notion of guiltiness, which that dictate enforces, is simply irrational, for how can there possibly be freedom of will, how can there be consequent responsibility, in that infinite eternal network of cause and effect, in which we helplessly lie? and what retribution have we to fear, when we have had no real choice to do good or evil?

So much for philosophers; now let us see what is the notion of conscience in this day in the popular mind.

There, no more than in the intellectual world, does "conscience" retain the old, true, Catholic meaning of the word. There too the idea, the presence, of a Moral Governor is far away from the use of it, frequent and emphatic as that use of it is. When men advocate the rights of conscience, they in no sense mean the rights of the Creator, nor the duty to Him, in thought and deed, of the creature; but the right of thinking, speaking, writing, and acting, according to their judgment or their humour, without any thought of God at all. They do not even pretend to go by any moral rule, but they demand, what they think is an Englishman's prerogative, to be his own master in all things, and to profess what he pleases, asking no one's leave, and accounting priest or preacher, speaker or writer, unutterably impertinent, who dares to say a word against his going to perdition, if he like it, in his own way. Conscience has rights because it has duties; but in this age, with a large portion of the public, it is the very right and freedom of conscience to dispense with conscience, to ignore a Lawgiver and Judge, to be independent of unseen obligations. It becomes a license to take up any or no religion, to take up this or that and let it go again, to go to Church, to go to chapel, to boast of being above all religions and to be an impartial critic of each of them. Conscience is a stern monitor, but in this century it has been superseded by a counterfeit, which the eighteen centuries prior to it never heard of, and could not have mistaken for it, if they had. It is the right of self-will.

And now I shall turn aside for a moment to show how it is that the Popes of our century have been misunderstood by English people, as if they really were speaking against conscience in the true sense of the word, when in fact they were speaking against it in the various false senses, philosophical or popular, which in this day are put upon the word. The present Pope, in his Encyclical of 1864, *Quantâ curâ*, speaks, (as will come before us in the next section,) against "liberty of conscience," and he refers to his predecessor, Gregory XVI., who, in his *Mirari vos*, calls it a "deliramentum." It is a rule in formal ecclesias-

tical proceedings, as I shall have occasion to notice lower down, when books or authors are condemned, to use the very words of the book or author, and to condemn the words in that particular sense which they have in their context and their drift, not in the literal, not in the religious sense, such as the Pope might recognize, were they in another book or author. To take a familiar parallel, among many which occur daily. Protestants speak of the "Blessed Reformation;" Catholics too talk of "the Reformation," though they do not call it blessed. Yet every "reformation" ought, from the very meaning of the word, to be good, not bad; so that Catholics seem to be implying a eulogy on an event which, at the same time, they consider a surpassing evil. Here then they are taking the word and using it in the popular sense of it, not in the Catholic. They would say, if they expressed their full meaning, "the *so-called* reformation." In like manner, if the Pope condemned "the Reformation," it would be utterly sophistical to say in consequence that he had declared himself against all reforms; yet this is how Mr. Gladstone treats him, because he speaks of (so-called) liberty of conscience. To make this distinction clear, viz., between the Catholic sense of the word "conscience," and that sense in which the Pope condemns it, we find in the *Recueil des Allocutions*, &c., the words accompanied with quotation-marks, both in Pope Gregory's and Pope Pius's Encyclicals, thus:—Gregory's, "Ex hoc putidissimo 'indifferentismi' fonte," (mind, "'indifferentismi' is under quotation-marks, because the Pope will not make himself answerable for so unclassical a word) "absurda illa fluit ac erronea sententia, seu potius deliramentum, asserendam esse ac vindicandam cuilibet 'libertatem conscientiæ.'" And that of Pius, "haud timent erroneam illam fovere opinionem a Gregorio XVI. deliramentum appellatam, nimirum 'libertatem conscientiæ' esse proprium cujuscunque hominis jus." Both Popes certainly scoff at the "so-called liberty of conscience," but there is no scoffing of any Pope, in formal documents addressed to the faithful at large, at that most serious doctrine, the right and the duty of following that Divine

Authority, the voice of conscience, on which in truth the Church herself is built.

So indeed it is; did the Pope speak against Conscience in the true sense of the word, he would commit a suicidal act. He would be cutting the ground from under his feet. His very mission is to proclaim the moral law, and to protect and strengthen that "Light which enlighteneth every man that cometh into the world." On the law of conscience and its sacredness are founded both his authority in theory and his power in fact. Whether this or that particular Pope in this bad world always kept this great truth in view in all he did, it is for history to tell. I am considering here the Papacy in its office and its duties, and in reference to those who acknowledge its claims. They are not bound by a Pope's personal character or private acts, but by his formal teaching. Thus viewing his position, we shall find that it is by the universal sense of right and wrong, the consciousness of transgression, the pangs of guilt, and the dread of retribution, as first principles, deeply lodged in the hearts of men, thus and only thus, that he has gained his footing in the world and achieved his success. It is his claim to come from the Divine Lawgiver, in order to elicit, protect, and enforce those truths which the Lawgiver has sown in our very nature—it is this and this only—that is the explanation of his length of life more than antediluvian. The championship of the Moral Law and of conscience is his *raison d'être*. The fact of his mission is the answer to the complaints of those who feel the insufficiency of the natural light; and the insufficiency of that light is the justification of his mission.

All sciences, except the science of Religion, have their certainty in themselves; as far as they are sciences, they consist of necessary conclusions from undeniable premisses, or of phenomena manipulated into general truths by an irresistible induction. But the sense of right and wrong, which is the first element in religion, is so delicate, so fitful, so easily puzzled, obscured, perverted, so subtle in its argumentative methods, so impressible by education, so biassed by pride and passion, so unsteady in its flight, that, in

the struggle for existence amid various exercises and triumphs of the human intellect, this sense is at once the highest of all teachers, yet the least luminous; and the Church, the Pope, the Hierarchy are, in the Divine purpose, the supply of an urgent demand. Natural Religion, certain as are its grounds and its doctrines as addressed to thoughtful, serious minds, needs, in order that it may speak to mankind with effect and subdue the world, to be sustained and completed by Revelation.

In saying all this, of course I must not be supposed to be limiting the Revelation of which the Church is the keeper to a mere republication of the Natural Law; but still it is true, that, though Revelation is so distinct from the teaching of nature and beyond it, yet it is not independent of it, nor without relations towards it, but is its complement, re-assertion, issue, embodiment, and interpretation. The Pope, who comes of Revelation, has no jurisdiction over Nature. If, under the plea of his revealed prerogatives, he neglected his mission of preaching truth, justice, mercy, and peace, much more, if he trampled on the consciences of his subjects,—if he had done so all along, as Protestants say, then he could not have lasted all these many centuries till now, so as to be made the mark of their reprobation. Dean Milman has told us above, how faithful he was to his duty in the medieval time, and how successful. Afterwards, for a while the Papal chair was filled by men, who gave themselves up to luxury, security, and a Pagan kind of Christianity; and we all know what a moral earthquake was the consequence, and how the Church lost, thereby, and has lost to this day, one-half of Europe. The Popes could not have recovered from so terrible a catastrophe, as they have done, had they not returned to their first and better ways, and the grave lesson of the past is in itself the guarantee of the future.

Such is the relation of the ecclesiastical power to the human conscience:—however, another view may be taken of it. It may be said that no one doubts that the Pope's power rests on those weaknesses of human nature, that religious sense, which in ancient days Lucretius noted as

the cause of the worst ills of our race; that he uses it dexterously, forming under shelter of it a false code of morals for his own aggrandisement and tyranny; and that thus conscience becomes his creature and his slave, doing, as if on a divine sanction, his will; so that in the abstract indeed and in idea it is free, but never free in fact, never able to take a flight of its own, independent of him, any more than birds whose wings are clipped;—moreover, that, if it were able to exert a will of its own, then there would ensue a collision more unmanageable than that between the Church and the State, as being in one and the same subject matter—viz., religion; for what would become of the Pope's "absolute authority," as Mr. Gladstone calls it, if the private conscience had an absolute authority also?

I wish to answer this important objection distinctly.

1. First, I am using the word "conscience" in the high sense in which I have already explained it; not as a fancy or an opinion, but as a dutiful obedience to what claims to be a divine voice, speaking within us.

2. Secondly I observe that conscience is not a judgment upon any speculative truth, any abstract doctrine, but bears immediately on conduct, on something to be done or not done. "Conscience," says St. Thomas, "is the practical judgment or dictate of reason, by which we judge what *hic et nunc* is to be done as being good, or to be avoided as evil." Hence conscience cannot come into direct collision with the Church's or the Pope's infallibility; which is engaged only on general propositions, or the condemnation of propositions simply particular.

3. Next, I observe that, conscience being a practical dictate, a collision is possible between it and the Pope's authority only when the Pope legislates, or gives particular orders, and the like. But a Pope is not infallible in his laws, nor in his commands, nor in his acts of state, nor in his administration, nor in his public policy. Let it be observed that the Vatican Council has left him just as it found him here. Mr. Gladstone's language on this point is to me quite unintelligible. Why, instead of using vague terms, does he not point out precisely the very words by

which the Council has made the Pope in his acts infallible? Instead of so doing, he assumes a conclusion which is altogether false. He says, p. 34, "First comes the Pope's infallibility;" then in the next page he insinuates that, under his infallibility, come acts of excommunication, as if the Pope could not make mistakes in this field of action. He says, p. 35, "It may be sought to plead that the Pope does not propose to invade the country, to seize Woolwich, or burn Portsmouth. He will only, at the worst, excommunicate opponents. . . Is this a good answer? After all, even in the Middle Ages, it was not by the direct action of fleets and armies of their own that the Popes contended with kings who were refractory; it was mainly by interdicts," &c. What have excommunication and interdict to do with Infallibility? Was St. Peter infallible on that occasion at Antioch when St. Paul withstood him? was St. Victor infallible when he separated from his communion the Asiatic Churches? or Liberius when in like manner he excommunicated Athanasius? And, to come to later times, was Gregory XIII., when he had a medal struck in honour of the Bartholomew massacre? or Paul IV. in his conduct towards Elizabeth? or Sextus V. when he blessed the Armada? or Urban VIII. when he persecuted Galileo? No Catholic ever pretends that these Popes were infallible in these acts. Since then infallibility alone could block the exercise of conscience, and the Pope is not infallible in that subject-matter in which conscience is of supreme authority, no dead-lock, such as is implied in the objection which I am answering, can take place between conscience and the Pope.

4. But, of course, I have to say again, lest I should be misunderstood, that when I speak of Conscience, I mean conscience truly so called. When it has the right of opposing the supreme, though not infallible Authority of the Pope, it must be something more than that miserable counterfeit which, as I have said above, now goes by the name. If in a particular case it is to be taken as a sacred and sovereign monitor, its dictate, in order to prevail against the voice of the Pope, must follow upon serious thought,

prayer, and all available means of arriving at a right judgment on the matter in question. And further, obedience to the Pope is what is called "in possession;" that is, the *onus probandi* of establishing a case against him lies, as in all cases of exception, on the side of conscience. Unless a man is able to say to himself, as in the Presence of God, that he must not, and dare not, act upon the Papal injunction, he is bound to obey it, and would commit a great sin in disobeying it. *Primâ facie* it is his bounden duty, even from a sentiment of loyalty, to believe the Pope right and to act accordingly. He must vanquish that mean, ungenerous, selfish, vulgar spirit of his nature, which, at the very first rumour of a command, places itself in opposition to the Superior who gives it, asks itself whether he is not exceeding his right, and rejoices, in a moral and practical matter, to commence with scepticism. He must have no wilful determination to exercise a right of thinking, saying, doing just what he pleases, the question of truth and falsehood, right and wrong, the duty if possible of obedience, the love of speaking as his Head speaks, and of standing in all cases on his Head's side, being simply discarded. If this necessary rule were observed, collisions between the Pope's authority and the authority of conscience would be very rare. On the other hand, in the fact that, after all, in extraordinary cases, the conscience of each individual is free, we have a safeguard and security, were security necessary (which is a most gratuitous supposition), that no Pope ever will be able, as the objection supposes, to create a false conscience for his own ends.

Now, I shall end this part of the subject, for I have not done with it altogether, by appealing to various of our theologians in evidence that, in what I have been saying, I have not misrepresented Catholic doctrine on these important points.

That is, on the duty of obeying our conscience at all hazards.

I have already quoted the words which Cardinal Gousset has adduced from the Fourth Lateran; that "He who

acts against his conscience loses his soul." This *dictum* is brought out with singular fulness and force in the moral treatises of theologians. The celebrated school, known as the Salmanticenses, or Carmelites of Salamanca, lays down the broad proposition, that conscience is ever to be obeyed whether it tells truly or erroneously, and that, whether the error is the fault of the person thus erring or not.* They say that this opinion is certain, and refer, as agreeing with them, to St. Thomas, St. Bonaventura, Caietan, Vasquez, Durandus, Navarrus, Corduba, Layman, Escobar, and fourteen others. Two of them even say this opinion is *de fide.* Of course, if he is culpable in being in error, which he would have escaped, had he been more in earnest, for that error he is answerable to God, but still he must act according to that error, while he is in it, because he in full sincerity thinks the error to be truth.

Thus, if the Pope told the English Bishops to order their priests to stir themselves energetically in favour of teetotalism, and a particular priest was fully persuaded that abstinence from wine, &c., was practically a Gnostic error, and therefore felt he could not so exert himself without sin; or suppose there was a Papal order to hold lotteries in each mission for some religious object, and a priest could say in God's sight that he believed lotteries to be morally wrong, that priest in either of these cases would commit a sin *hic et nunc* if he obeyed the Pope, whether he was right or wrong in his opinion, and, if wrong, although he had not taken proper pains to get at the truth of the matter.

Busenbaum, of the Society of Jesus, whose work I have already had occasion to notice, writes thus:—"A heretic, as long as he judges his sect to be more or equally deserving of belief, has no obligation to believe [in the Church.]" And he continues, "When men who

* "Aliqui opinantur quod conscientia erronea non obligat; Secundam sententiam, et certam, asserentem esse peccatum discordare à conscientiâ erroneâ, invincibili aut vincibili, tenet D. Thomas; quem sequuntur omnes Scholastici."—*Theol. Moral.* t. v., p. 12, ed. 1728.

have been brought up in heresy, are persuaded from boyhood that we impugn and attack the word of God, that we are idolators, pestilent deceivers, and therefore are to be shunned as pestilences, they cannot, while this persuasion lasts, with a safe conscience, hear us."—t. 1, p. 54.

Antonio Corduba, a Spanish Franciscan, states the doctrine with still more point, because he makes mention of Superiors. "In no manner is it lawful to act against conscience, even though a Law, or a Superior commands it." —*De Conscient.*, p. 138.

And the French Dominican, Natalis Alexander:—"If, in the judgment of conscience, though a mistaken conscience, a man is persuaded that what his Superior commands is displeasing to God, he is bound not to obey." —*Theol.* t. 2, p. 32.

The word "Superior" certainly includes the Pope; but, to bring out this point clearly, Cardinal Jacobatius in his authoritative work on Councils, which is contained in Labbe's Collection of them, introduces the Pope by name: —"If it were doubtful," he says, "whether a precept [of the Pope] be a sin or not, we must determine thus:—that, if he to whom the precept is addressed has a conscientious sense that it is a sin and injustice, first it is his duty to put off that sense; but, if he cannot, nor conform himself to the judgment of the Pope, in that case it is his duty to follow his own private conscience, and patiently to bear it, if the Pope punishes him."—*lib.* iv., p. 241.

Would it not be well for Mr. Gladstone to bring passages from our recognized authors as confirmatory of his view of our teaching, as those which I have quoted are destructive of it? and they must be passages declaring, not only that the Pope is ever to be obeyed, but that there are no exceptions to the rule, for exceptions must be in all concrete matters.

I add one remark. Certainly, if I am obliged to bring religion into after-dinner toasts, (which indeed does not seem quite the thing) I shall drink,—to the Pope, if you please,—still, to Conscience first, and to the Pope afterwards.

§ 6. The Encyclical of 1864.

The subject of Conscience leads us to the Encyclical, which is one of the special objects of Mr. Gladstone's attack; and to do justice to it, I must, as in other sections, begin from an earlier date than 1864.

Modern Rome then is not the only place where the traditions of the old Empire, its principles, provisions, and practices, have been held in honour; they have been retained, they have been maintained in substance, as the basis of European civilization down to this day, and notably among ourselves. In the Anglican establishment the king took the place of the Pope; but the Pope's principles kept possession. When the Pope was ignored, the relations between Pope and king were ignored too, and therefore we had nothing to do any more with the old Imperial laws which shaped those relations; but the old idea of a Christian Polity was still in force. It was a first principle with England that there was one true religion, that it was inherited from an earlier time, that it came of direct Revelation, that it was to be supported to the disadvantage, to say the least, of other religions, of private judgment, of personal conscience. The Puritans held these principles as firmly as the school of Laud. As to the Scotch Presbyterians, we read enough about them in the pages of Mr. Buckle. The Stuarts went, but still their principles suffered no dethronement; their action was restrained, but they were still in force, when this century opened.

It is curious to see how strikingly in this matter the proverb has been fulfilled, "Out of sight, out of mind." Men of the present generation, born in the new civilization, are shocked to witness in the abiding Papal system the words, ways, and works of their grandfathers. In my own lifetime has that old world been alive, and has gone its way. Who will say that the plea of conscience was as effectual,

sixty years ago, as it is now in England, for the toleration of every sort of fancy religion? Had the Press always that wonderful elbow-room which it has now? Might public gatherings be held, and speeches made, and republicanism avowed in the time of the Regency, as is possible now? Were the thoroughfares open to monster processions at that date, and the squares and parks at the mercy of Sunday manifestations? Could *savants* in that day insinuate what their hearers mistook for atheism in scientific assemblies, and artizans practise it in the centres of political action? Could public prints day after day, or week after week, carry on a war against religion, natural and revealed, as now is the case? No; law or public opinion would not suffer it; we may be wiser or better now, but we were then in the wake of the Holy Roman Church, and had been so from the time of the Reformation. We were faithful to the tradition of fifteen hundred years. All this was called Toryism, and men gloried in the name; now it is called Popery and reviled.

When I was young the State had a conscience, and the Chief Justice of the day pronounced, not as a point of obsolete law, but as an energetic, living truth, that Christianity was the law of the land. And by Christianity was meant pretty much what Bentham calls Church-of-Englandism, its cry being the dinner toast, "Church and king." Blackstone, though he wrote a hundred years ago, was held, I believe, as an authority, on the state of the law in this matter, up to the beginning of this century. On the supremacy of Religion he writes as follows, that is, as I have abridged him for my purpose.

"The belief of a future state of rewards and punishments, &c., &c.,...these are the grand foundation of all judicial oaths. . All moral evidence, all confidence in human veracity, must be weakened by irreligion, and overthrown by infidelity. Wherefore all affronts to Christianity, or endeavours to depreciate its efficacy, are highly deserving of human punishment. It was enacted by the statute of William III. that if any person *educated in*, and *having made profession of*, the Christian religion, shall by writing, printing, teaching, or

advised speaking, deny the Christian religion to be true, or the Holy Scriptures to be of divine authority," or again in like manner, "if any person *educated* in the Christian religion shall by writing, &c., deny any one of the Persons of the Holy Trinity to be God, or maintain that there are more gods than one, he shall on the first offence be rendered incapable to hold any office or place of trust; and for the second, be rendered incapable of bringing any action, being guardian, executor, legatee, or purchaser of lands, and shall suffer three years' imprisonment without bail. To give room, however, for repentance, if, within four months after the first conviction, the delinquent will in open court publicly renounce his error, he is discharged for that once from all disabilities."

Again: "those who absent themselves from the divine worship in the established Church, through total irreligion, and attend the service of no other persuasion, forfeit one shilling to the poor every Lord's day they so absent themselves, and £20 to the king, if they continue such a default for a month together. And if they keep any inmate, thus irreligiously disposed, in their houses, they forfeit £10 per month."

Further, he lays down that "reviling the ordinances of the Church is a crime of a much grosser nature than the other of non-conformity; since it carries with it the utmost indecency, arrogance, and ingratitude;—indecency, by setting up private judgment in opposition to public; arrogance, by treating with contempt and rudeness what has at least a better chance to be right than the singular notions of any particular man; and ingratitude, by denying that indulgence and liberty of conscience to the members of the national Church, which the retainers to every petty conventicle enjoy."

Once more: "In order to secure the established Church against perils from non-conformists of all denominations, infidels, Turks, Jews, heretics, papists, and sectaries, there are two bulwarks erected, called the Corporation and Test Acts; by the former, no person can be legally elected to any office relating to the government of any city or corpo-

ration, unless, within a twelvemonth before, he has received the sacrament of the Lord's Supper according to the rites of the Church of England ;.....the other, called the Test Act, directs all officers, civil and military, to make the declaration against transubstantiation within six months after their admission, and also within the same time to receive the sacrament according to the usage of the Church of England." The same test being undergone by all persons who desired to be naturalized, the Jews also were excluded from the privileges of Protestant churchmen.

Laws, such as these, of course gave a tone to society, to all classes, high and low, and to the publications, periodical or other, which represented public opinion. Dr. Watson, who was the liberal prelate of his day, in his answer to Paine, calls him (unless my memory betrays me) "a child of the devil and an enemy of all righteousness." Cumberland, a man of the world, (here again I must trust to the memory of many past years) reproaches a Jewish writer for ingratitude in assailing, as he seems to have done, a tolerant religious establishment; and Gibbon, an unbeliever, feels himself at liberty to look down on Priestly, whose "Socinian shield," he says, "has been repeatedly pierced by the mighty spear of Horsley, and whose trumpet of sedition may at length awake the magistrates of a free country."

Such was the position of free opinion and dissenting worship in England till quite a recent era, when one after another the various disabilities which I have been recounting, and many others besides, melted away, like snow at spring-tide ; and we all wonder how they could ever have been in force. The cause of this great revolution is obvious, and its effect inevitable. Though I profess to be an admirer of the principles now superseded, in themselves, mixed up as they were with the imperfections and evils incident to everything human, nevertheless I say frankly I do not see how they could possibly be maintained in the ascendant. When the intellect is cultivated, it is as certain that it will develop into a thousand various shapes, as that infinite hues and tints and shades of colour will be reflected from the earth's surface, when the sun-light touches it ;

and in matters of religion the more, by reason of the extreme subtlety and abstruseness of the mental action by which they are determined. During the last seventy years, first one class of the community, then another, has awakened up to thought and opinion. Their multiform views on sacred subjects necessarily affected and found expression in the governing order. The State in past time had a conscience; George the Third had a conscience; but there were other men at the head of affairs besides him with consciences, and they spoke for others besides themselves, and what was to be done, if he could not work without them, and they could not work with him, as far as religious questions came up at the Council-board? This brought on a dead-lock in the time of his successor. The ministry of the day could not agree together in the policy or justice of keeping up the state of things which Blackstone describes. The State ought to have a conscience; but what if it happen to have half-a-dozen, or a score, or a hundred, in religious matters, each different from each? I think Mr. Gladstone has brought out the difficulties of the situation himself in his Autobiography. No government could be formed, if religious unanimity was a *sine qua non*. What then was to be done? As a necessary consequence, the whole theory of Toryism, hitherto acted on, came to pieces and went the way of all flesh. This was in the nature of things. Not a hundred Popes could have hindered it, unless Providence interposed by an effusion of divine grace on the hearts of men, which would amount to a miracle, and perhaps would interfere with human responsibility. The Pope has denounced the sentiment that he ought to come to terms with "progress, liberalism, and the new civilization." I have no thought at all of disputing his words. I leave the great problem to the future. God will guide other Popes to act when Pius goes, as He has guided him. No one can dislike the democratic principle more than I do. No one mourns, for instance, more than I, over the state of Oxford, given up, alas! to "liberalism and progress," to the forfeiture of her great medieval motto, "Dominus illuminatio mea," and with a consequent

call on her to go to Parliament or the Heralds College for a new one; but what can we do? All I know is, that Toryism, that is, loyalty to persons, "springs immortal in the human breast;" that Religion is a spiritual loyalty; and that Catholicity is the only divine form of Religion. And thus, in centuries to come, there may be found out some way of uniting what is free in the new structure of society with what is authoritative in the old, without any base compromise with "Progress" and "Liberalism."

But to return:—I have noticed the great revolution in the state of the Law which has taken place since 1828 for this reason:—to suggest that Englishmen, who within fifty years kept up the Pope's system, are not exactly the parties to throw stones at the Pope for keeping it up still.

But I go further:—in fact the Pope has not said on this subject of conscience (for that is the main subject in question) what Mr. Gladstone makes him say. On this point I desiderate that fairness in his Pamphlet which we have a right to expect from him; and in truth his unfairness is wonderful. He says, pp. 15, 16, that the Holy See has "condemned" the maintainers of "the Liberty of the Press, of conscience, and of worship." Again, that the "Pontiff has condemned free speech, free writing, a free press, toleration of non-conformity, liberty of conscience," p. 42. Now, is not this accusation of a very wholesale character? Who would not understand it to mean that the Pope had pronounced a universal anathema against *all* these liberties *in toto*, and that English law, on the contrary, allowed those liberties *in toto*, which the Pope had condemned. But the Pope has done no such thing. The real question is in what respect, in what measure, has he spoken against liberty: the grant of liberty admits of degrees. Blackstone is careful to show how much more liberty the law allowed to the subject in his day, how much less severe it was in its safeguards against abuse, than it had used to be; but he never pretends that it is conceivable that liberty should have no boundary at all. The very idea of political society is based upon the principle that each member of it gives

up a portion of his natural liberty for advantages which are greater than that liberty; and the question is, whether the Pope, in any act of his which touches us Catholics, in any ecclesiastical or theological statement of his, has propounded any principle, doctrine, or view, which is not carried out in fact at this time in British courts of law, and would not be conceded by Blackstone. I repeat, the very notion of human society is a relinquishment, to a certain point, of the liberty of its members individually, for the sake of a common security. Would it be fair on that account to say that the British Constitution condemns *all* liberty of conscience in word and in deed?

We Catholics, on our part, are denied liberty of our religion by English law in various ways, but we do not complain, because a limit must be put to even innocent liberties, and we acquiesce in it for the social compensations which we gain on the whole. Our school boys cannot play cricket on Sunday, not even in country places, for fear of being taken before a magistrate and fined. In Scotland we cannot play the piano on Sundays, much less the fiddle, even in our own rooms. I have had before now a lawyer's authority for saying that a religious procession is illegal even within our own premises. Till the last year or two we could not call our Bishops by the titles which our Religion gave them. A mandate from the Home Secretary obliged us to put off our cassocks when we went out of doors. We are forced to pay rates for the establishment of secular schools which we cannot use, and then we have to find means over again for building schools of our own. Why is not all this as much an outrage on our conscience as the prohibition upon Protestants at Rome, Naples, and Malaga, before the late political changes—not to hold their services in a private, or in the ambassador's house, or outside the walls,—but to flaunt them in public and thereby to irritate the natives? Mr. Gladstone seems to think it is monstrous for the Holy See to sanction such a prohibition. If so, may we not call upon him to gain for us in Birmingham "the free exercise of our religion," in making a circuit of the streets in our vestments, and chant-

ing the "Pange Lingua," and the protection of the police against the mob which would be sure to gather round us, —particularly since we are English born; but the Protestants at Malaga or Naples were foreigners.* But we have the good sense neither to feel it a hardship, nor to protest against it as a grievance.

But now for the present state of English Law:—I say seriously Mr. Gladstone's accusation of us avails quite as much against Blackstone's four volumes, against laws in general, against the social contract, as against the Pope. What the Pope has said, I will show presently: first let us see what the statute book has to tell us about the present state of English liberty of speech, of the press, and of worship.

First, as to public speaking and meetings:—do we allow of seditious language, or of insult to the sovereign, or his representatives? Blackstone says, that a misprision is committed against him by speaking or writing against him, cursing or wishing him ill, giving out scandalous stories concerning him, or doing anything that may tend to lessen him in the esteem of his subjects, may weaken his government, or may raise jealousies between him and his people." Also he says, that "threatening and reproachful words to any judge sitting in the Courts" involve "a high misprision, and have been punished with large fines, imprisonment, and corporal punishment." And we may recollect quite lately the judges of the Queen's Bench prohibited public meetings and speeches which had for their object the issue of a case then proceeding in Court.

Then, again, as to the Press, there are two modes of bridling it, one before the printed matter is published, the other after. The former is the method of censorship, the latter that of the law of libel. Each is a restriction on the liberty of the Press. We prefer the latter. I never heard it said that the law of libel was of a mild character; and I never heard that the Pope, in any Brief or Rescript, had insisted on a censorship.

* "Hominibus illuc immigrantibus." These words Mr. Gladstone omits, also he translates "publicum" "free," pp. 17, 18.

Lastly, liberty of worship: as to the English restriction of it, we have had a notable example of it in the last session of Parliament, and we shall have still more edifying illustrations of it in the next, though not certainly from Mr. Gladstone. The ritualistic party, in the free exercise of their rights, under the shelter of the Anglican rubrics, of certain of the Anglican offices, of the teaching of their great divines, and of their conscientious interpretation of their Articles, have, at their own expense, built churches for worship after their own way; and, on the other hand, Parliament and the newspapers are attempting to put them down, not so much because they are acting against the tradition and the law of the Establishment, but because of the national dislike and dread of the principles and doctrines which their worship embodies.

When Mr. Gladstone has a right to say broadly, by reason of these restrictions, that British law and the British people condemn the maintainers of liberty of conscience, of the press, and of worship, *in toto*, then may he say so of the Encyclical, or account of those words which to him have so frightful a meaning.

Now then let us see, on the other hand, what the proposition is, the condemnation of which leads him to say, that the Pope has unrestrictedly "condemned those who maintain *the* liberty of the Press, *the* liberty of conscience and of worship, and *the* liberty of speech," p. 16,—has "condemned free speech, free writing, and a free press," p. 42. The condemned proposition speaks as follows:—

"Liberty of conscience and worship, is the *inherent right* of all men. 2. It ought to be proclaimed in *every* rightly constituted society. 3. It is a right to *all sorts of liberty* (omnimodam libertatem) such, that it ought not to be restrained by any authority, ecclesiastical *or civil*, as far as public speaking, printing, or any other public manifestation of opinions is concerned."

Now, is there any government on earth that could stand the strain of such a doctrine as this? It starts by taking for granted that there are certain Rights of man; Mr. Gladstone so considers, I believe; but other deep thinkers

of the day are quite of another opinion; however, if the doctrine of the proposition is true, then the right of conscience, of which it speaks, being inherent in man, is of universal force—that is, all over the world—also, says the proposition, it is a right which must be recognized by all rightly constituted governments. Lastly, what is the right of conscience thus inherent in our nature, thus necessary for all states? The proposition tells us. It is the liberty of *every* one to give *public* utterance, in *every* possible shape, by *every* possible channel, without *any* let or hindrance from God or man, to *all* his notions *whatsoever*.*

Which of the two in this matter is peremptory and sweeping in his utterance, the author of this thesis himself, or the Pope who has condemned what he has uttered? Who is it who would force upon the world a universal? All that the Pope has done is to deny a universal, and what a universal! a universal liberty to all men to say out whatever doctrines they may hold by preaching, or by the press, uncurbed by church or civil power. Does not this bear out what I said in the foregoing section of the sense in which Pope Gregory denied a "liberty of conscience?" It is a liberty of self-will. What if a man's conscience embraces the duty of regicide? or infanticide? or free love? You may say that in England the good sense of the nation would stifle and extinguish such atrocities. True, but the proposition says that it is the very right of every one, by nature, in every well constituted society. If so, why have we gagged the Press in Ireland on the ground of its being seditious? Why is not India brought within the British constitution? It seems a light epithet for the Pope to use, when he calls such a doctrine of conscience *deliramentum*: of all conceivable absurdities it is the wildest and most stupid. Has Mr.

* "Jus civibus *inesse* ad *omnimodam* libertatem, *nullâ* vel ecclesiasticâ vel civili auctoritate coarctandam, quo suos conceptus *quoscunque* sive voce, sive typis, sive aliâ ratione, *palam publiceque* manifestare ac declarare valeant."

Gladstone really no better complaint to make against the Pope's condemnations than this?

Perhaps he will say, Why should the Pope take the trouble to condemn what is so wild? But he does: and to say that he condemns something which he does not condemn, and then to inveigh against him on the ground of that something else, is neither just nor logical.

§ 7. The Syllabus.

Now I come to the Syllabus of "Errors," the publication of which has been exclaimed against in England as such singular enormity, and especially by Mr. Gladstone. The condemnation of theological statements which militate against the Catholic Faith is of long usage in the Church. Such was the condemnation of the heresies of Wickliffe in the Council of Constance; such those of Huss, of Luther, of Baius, of Jansenius; such the condemnations which were published by Sextus IV., Innocent XI., Clement XI., Benedict XIV., and other Popes. Such condemnations are no invention of Pius IX. The Syllabus is a collection of such erroneous propositions, as he has condemned during his Pontificate; there are 80 of them.

The word "Syllabus" means a collection; the French translation calls it a "*Resumé*;"—a Collection of what? I have already said, of propositions,—propositions which the Pope in his various Allocutions, Encyclicals, and like documents, since he has been Pope, has pronounced to be Errors. Who gathered the propositions out of these Papal documents, and put them together in one? We do not know; all we know is that, by the Pope's command, this Collection of Errors was sent by his Foreign Minister to the Bishops. He, Cardinal Antonelli, sent to them at the same time the Encyclical of December, 1864, which is a document of dogmatic authority. The Cardinal says, in his circular to them, that the Pope ordered him to do so. The Pope thought, he says, that perhaps the Bishops had not seen some of his Allocutions, and other authoritative letters and speeches of past years; in consequence the Pope had had the Errors which, at one time or other he had therein condemned, brought together into one, and that for the use of the Bishops.

Such is the Syllabus and its object. There is not a word

in it of the Pope's own writing; there is nothing in it at all but the Erroneous Propositions themselves—that is, except the heading "A Syllabus, containing the principal Errors of our times, which are noted in the Consistorial Allocutions, in the Encyclicals, and in other Apostolical Letters of our most Holy Lord, Pope Pius IX." There is one other addition—viz., after each proposition a reference is given to the Allocution, Encyclical, or other document in which it is condemned.

The Syllabus, then, is to be received with profound submission, as having been sent by the Pope's authority to the Bishops of the world. It certainly has indirectly his extrinsic sanction; but intrinsically, and viewed in itself, it is nothing more than a digest of certain Errors made by an anonymous writer. There would be nothing on the face of it, to show that the Pope had ever seen it, page by page, unless the "Imprimatur" implied in the Cardinal's letter had been an evidence of this. It has no mark or seal put upon it which gives it a direct relation to the Pope. Who is its author? Some select theologian or high official doubtless; can it be Cardinal Antonelli himself? No surely: any how it is not the Pope, and I do not see my way to accept it for what it is not. I do not speak as if I had any difficulty in recognizing and condemning the Errors which it catalogues, did the Pope himself bid me; but he has not as yet done so, and he cannot delegate his *Magisterium* to another. I wish with St. Jerome to "speak with the Successor of the Fisherman and the Disciple of the Cross." I assent to that which the Pope propounds in faith and morals, but it must be he speaking officially, personally, and immediately, and not any one else, who has a hold over me. The Syllabus is not an official act, because it is not signed, for instance, with "Datum Romæ, Pius P. P. IX," or "sub annulo Piscatoris," or in some other way; it is not a personal, for he does not address his "Venerabiles Fratres," or "Dilecto Filio," or speak as "Pius Episcopus;" it is not an immediate, for it comes to the Bishops only through the Cardinal Minister of State.

If, indeed, the Pope should ever make that anonymous

compilation directly his own, then of course I should bow to it and accept it as strictly His. He might have done so; he might do so still; again, he might issue a fresh list of Propositions in addition, and pronounce them to be Errors, and I should take that condemnation to be of dogmatic authority, because I believe him appointed by his Divine Master to determine in the detail of faith and morals what is true and what is false. But such an act of his he would formally authenticate; he would speak in his own name, as Leo X. or Innocent XI. did, by Bull or Letter Apostolic. Or, if he wished to speak less authoritatively, he would speak through a Sacred Congregation; but the Syllabus makes no claim to be acknowledged as the word of the Pope. Moreover, if the Pope drew up that catalogue, as it may be called, he would discriminate the errors one from another, for they greatly differ in gravity, and he would guard against seeming to say that all intellectual faults are equal. What gives cogency to this remark is, that a certain number of Bishops and theologians, when a Syllabus was in contemplation, did wish for such a formal act on the part of the Pope, and in consequence they drew up for his consideration the sort of document on which, if he so willed, he might suitably stamp his infallible sanction; but he did not accede to their prayer. This composition is contained in the "*Recueil des Allocutions*," &c., and is far more than a mere "collection of errors." It is headed, "Theses ad Apostolicam Sedem delatæ *cum censuris*," &c., and each error from first to last has the ground of its condemnation marked upon it. There are sixty-one of them. The first is "impia, injuriosa religioni," &c.; the second is "complexivè sumpta, falsa," &c.; the third the same; the fourth "hæretica," and so on, the epithets affixed having a distinct meaning, and denoting various degrees of error. Such a document, unlike the Syllabus, has a substantive character.

Here I am led to interpose a remark;—it is plain, then, that there are those near, or with access, to the Holy Father, who would, if they could, go much further in the way of assertion and command, than the divine *Assistentia*, which

overshadows him, wills or permits: so that his acts and his words on doctrinal subjects must be carefully scrutinized and weighed, before we can be sure what really he has said. Utterances which must be received as coming from an Infallible Voice are not made every day, indeed they are very rare; and those which are by some persons affirmed or assumed to be such, do not always turn out what they are said to be; nay, even such as are really dogmatic must be read by definite rules and by traditional principles of interpretation, which are as cogent and unchangeable as the Pope's own decisions themselves. What I have to say presently will illustrate this truth; meanwhile I use the circumstance which has led to my mentioning it, for another purpose here. When intelligence which we receive from Rome startles and pains us from its seemingly harsh or extreme character, let us learn to have some little faith and patience, and not take for granted that all that is reported is the truth. There are those who wish and try to carry measures, and declare they have carried, when they have not carried them. How many strong things, for instance, have been reported with a sort of triumph on one side and with irritation and despondency on the other, of what the Vatican Council has done; whereas the very next year after it, Bishop Fessler, the Secretary General of the Council, brings out his work on "True and False Infallibility,"* reducing what was said to be so monstrous to its true dimensions. When I see all this going on, those grand lines always rise on my lips in the Greek Tragedy—

"Οὔποτε τὰν Διὸς ἁρμονίαν
θνατῶν παρεξίασι βουλαί,"—

and still more the consolation given us by a Divine Speaker that, though the swelling sea is so threatening to look at, yet there is One who rules it and says, "Hitherto shalt thou come and no further, and here shall thy proud waves be stayed!"

But to return:—the Syllabus then has no dogmatic force; it addresses us, not in its separate portions, but as a whole,

* A translation of this important work will in a few days be published by Messrs. Burns and Oates.

and is to be received from the Pope by an act of obedience, not of faith, that obedience being shown by having recourse to the original and authoritative documents, (Allocutions and the like,) to which the Syllabus pointedly refers. Moreover, when we turn to those documents, which *are* authoritative, we find the Syllabus cannot even be called an echo of the Apostolic Voice; for, in matters in which wording is so important, it is not an exact transcript of the words of the Pope, in its account of the errors condemned,—just as would be natural in what is an index for reference.

Mr. Gladstone indeed wishes to unite the Syllabus to that Encyclical which so moved him in December, 1864, and says that the Errors noted in the Syllabus are all brought under the infallible judgment pronounced on certain errors specified in the Encyclical. This is an untenable assertion. He says of the Pope and of the Syllabus, p. 20: "These are not mere opinions of the Pope himself, nor even are they opinions which he might paternally recommend to the pious consideration of the faithful. With the promulgation of his opinions is unhappily combined, in the Encyclical Letter *which virtually, though not expressly, includes the whole,* a *command* to all his spiritual children (from which command we, the disobedient children, are in no way excluded) *to hold them,*" and he appeals in proof of this to the language of the Encyclical; but let us see what that language is. The Pope speaks thus, as Mr. Gladstone himself quotes him: "All and each of the wrong opinions and doctrines, *mentioned one by one in this Encyclical* (*hisce litteris*), by our Apostolical authority, we reprobate, &c." He says, as plainly as words can speak, that the wrong opinions which in this passage he condemns, are specified *in* the Encyclical, not outside of it; and, when we look into the earlier part of it, there they are, about ten of them; there is not a single word in the Encyclical to show that the Pope in it was alluding to the Syllabus. The Syllabus does not exist as far as the language of the Encyclical is concerned. This gratuitous assumption seems to me marvellously unfair.

The only connexion between the Syllabus and the Encyclical is one external to them both, the connexion of time and

organ ; Cardinal Antonelli sending them both to the Bishops with the introduction of one and the same letter. In that letter he speaks to the Bishops thus, as I paraphrase his words :*—The Holy Father sends you by me a list, which he has caused to be drawn up and printed, of the errors which he has in various formal documents, in the course of the last eighteen years, condemned. At the same time, and with that list of errors, he is sending you a new Encyclical, which he has judged it *apropos* to write to the Catholic Bishops ;—so I send you both at once."

The Syllabus, then, is a list, or rather an index, of the Pope's Encyclical or Allocutional condemnations, an index *raisonné*,—not alphabetical, as is found, for instance, in Bellarmine's or Lambertini's works,—drawn up by the Pope's orders, out of his paternal care for the flock of Christ, and conveyed to the Bishops through his Minister of State. But we can no more accept it as *de fide*, as a dogmatic document, than other index or table of contents. Take a parallel case, *mutatis mutandis* : Counsel's opinion being asked on a point of law, he goes to his law books, writes down his answer, and, as authority, refers his client to 23 George III., c. 5, s. 11 ; 11 Victoria, c. 12, s. 19, and to Thomas *v.* Smith, Att.-Gen. *v.* Roberts, and Jones *v.* Owen. Who would say that that sheet of foolscap had force of law, when it was nothing more than a list of references to the Statutes of the Realm, or Judges' decisions, in which the Law's voice really was found ?

The value of the Syllabus, then, lies in its references ; but of these Mr. Gladstone has certainly availed himself very little. Yet, in order to see the nature and extent of

* His actual words (abridged) are these :—"Notre T.S.S. Pius IX n'a jamais cessé de proscrire les principales erreurs de notre très-malheureuse époque, par ses Encycliques, et par ses Allocutions, &c. Mais, comme il peut arriver que tous les actes pontificaux ne perviennent pas à chacun des Ordinaires, le même Souverain Pontife a voulu que l'on rédigeât un Syllabus de ces mêmes erreurs, destiné à être envoyé à tous les Evêques, &c. Il m'a ensuite ordonné de veiller à ce que ce Syllabus imprimé fût envoyé a V.E.R. dans ce temps où le même Souverain Pontife a jugé à propos d'écrire un autre Lettre Encyclique. Ainsi, je m'empresse d'envoyer a V.E. ce Syllabus avec ces Lettres."

the condemnation passed on any proposition of the Syllabus, it is absolutely necessary to turn out the passage of the Allocution, Encyclical, or other document, in which the condemnation is found; for the wording of the errors which the Syllabus contains is to be interpreted by its references. Instead of this Mr. Gladstone uses forms of speech about the Syllabus which only excite in me fresh wonder. Indeed, he speaks upon these ecclesiastical subjects generally in a style in which priests and parsons are accused by their enemies of speaking concerning geology. For instance, the Syllabus, as we have seen, is a list or index; but he calls it "extraordinary declarations," p. 21. How can a list of Errors be a series of Pontifical "Declarations?"

However, perhaps he would say that, in speaking of "Declarations," he was referring to the authoritative statements which I have accused him of neglecting. With all my heart; but then let us see how those statements fulfil the character he gives of them. He calls them "Extraordinary declarations on personal and private duty," p. 21, and "stringent condemnations," p. 19. Now, I certainly must grant that some are stringent, but only some. One of the most severe that I have found among them is that in the Apostolic Letter of June 10, 1851, against some heretic priest out at Lima, whose elaborate work in six volumes against the Curia Romana, is pronounced to be in its various statements scandalous, rash, false, schismatical, injurious to the Roman Pontiffs and Ecumenical Councils impious and heretical." It well deserved to be called by these names, which are not terms of abuse, but each with its definite meaning; and, if Mr Gladstone, in speaking of the condemnations, had confined his epithet "stringent" to it, no one would have complained of him. And another severe condemnation is that of the works of Professor Nuytz. But let us turn to some other of the so-called condemnations, in order to ascertain whether they answer to his general description of them.

1. For instance, take his own 16th (the 77th of the "erroneous Propositions") that, "It is no longer expedient

that the Catholic Religion should be established to the exclusion of all others." When we turn to the Allocution, which is the ground of its being put into the Syllabus, what do we find there? First, that the Pope was speaking, not of States universally, but of one particular State, Spain, definitely Spain; secondly, he was not speaking of the proposition in question directly, or dogmatically, or separately, but was protesting against the breach in many ways of the Concordat on the part of the Spanish government; further, that he was not referring to any theological work containing it, nor contemplating any proposition; nor, on the other hand, using any word of condemnation at all, nor using any harsher terms of the Government in question than those of "his wonder and bitterness." And again, taking the Pope's remonstrance as it stands, is it any great cause of complaint to Englishmen, who so lately were severe in their legislation upon Unitarians, Catholics, unbelievers and others, that the Pope does merely *not* think it expedient for *every* state *from this time forth* to tolerate *every* sort of religion on its territory, and to disestablish the Church at once? for this is all that he denies. As in the instance in the foregoing section, he does but deny a universal, which the "erroneous proposition" asserts without any explanation.

2. Another of Mr. Gladstone's "stringent Condemnations" (his 18th) is that of the Pope's denial of the proposition that "the Roman Pontiff can and ought to come to terms with Progress, Liberalism, and the New Civilization." I turn to the Allocution of March 18, 1861, and find there no formal condemnation of this Proposition at all. The Allocution is a long *argument* to the effect that the moving parties in that Progress, Liberalism, and new Civilization, make use of it so seriously to the injury of the Faith and the Church, that it is both out of the power, and contrary to the duty, of the Pope to come to terms with them. Nor would those prime movers themselves differ from him here; certainly in this country it is the common cry that Liberalism is and will be the Pope's destruction, and they wish and mean it so to be. This Allocution on the subject is at once beautiful, dignified,

and touching: and I cannot conceive how Mr. Gladstone should make stringency his one characteristic of these condemnations, especially when after all there is here no condemnation at all.

3. Take, again, Mr. Gladstone's 15th—"That the abolition of Temporal Power of the Popedom would be highly advantageous to the Church." Neither can I find in the Pope's Allocution any formal condemnation whatever of this proposition, much less a "stringent" one. Even the Syllabus does no more in the case of any one of the eighty, than to call it an "error;" and what the Pope himself says of this particular error is only this:—"We cannot but in particular *warn* and *reprove* (monere et redarguere) those who applaud the decree by which the Roman Pontiff has been despoiled of all the honour and dignity of his civil rule, and assert that the said decree, more than anything else, conduces to the liberty and prosperity of the Church itself."—*Alloc.*, April 20, 1849..

4. Take another of his instances, the 17th, the "error" that "in countries called Catholic the public exercise of other religions may laudably be allowed." I have had occasion to mention already his mode of handling the Latin text of this proposition—viz., that, whereas the men who were forbidden the public exercise of their religion were foreigners, who had no right to be in a country not their own at all, and might fairly have conditions imposed upon them during their stay there; nevertheless Mr. Gladstone (apparently through haste) has left out the word "hominibus illuc immigrantibus," on which so much turns. Next, as I have observed above, it was only the sufferance of their public worship, and again of all worships whatsoever, however many and various, which the Pope blamed; further, the the Pope's words did not apply to all States, but specially, and, as far as the Allocution goes, definitely, to New Granada.

However, the point I wish to insist upon here is, that there was in this case no condemned proposition at all, but it was merely, as in the case of Spain, an act of the Government which the Pope protested against. The Pope merely

told that Government that that act, and other acts which they had committed, gave him very great pain; that he had expected better things of them; that the way they went on was all of a piece; and they had his best prayers. Somehow, it seems to me strange, for any one to call an expostulation like this one of a set of "extraordinary declarations" "stringent condemnations."

I am convinced that the more the propositions and the references contained in the Syllabus are examined, the more signally will the charge break down, brought against the Pope on occasion of it: as to those Propositions which Mr. Gladstone specially selects, some of them I have already taken in hand, and but few of them present any difficulty.

5. As to those on Marriage, I cannot follow Mr. Gladstone's meaning here, which seems to me very confused, and it would be going out of the line of remark which I have traced out for myself, (and which already is more extended than I could wish), were I to treat of them.

6. His fourth Error, (taken from the Encyclical) that "Papal judgments and decrees may, without sin, be disobeyed or differed from," is a denial of the principle of Hooker's celebrated work on Ecclesiastical Polity, and would be condemned by him as well as by the Pope. And it is plain to common sense that no society can stand if its rules are disobeyed. What club or union would not expel members who refused so to be bound?

7. And the 5th,* 8th, and 9th propositions are necessarily errors, if the Sketch of Church Polity drawn out in former sections is true, and are necessarily considered as such by those, as the Pope, who maintain that Polity.

8. The 10th Error, as others which I have noticed above, is a *universal* (that "in the conflict of laws, civil and ecclesiastical, the civil law should prevail"), and the Pope does but deny a universal.

* Father Coleridge, in his Sermon on "The Abomination of Desolation," observes that, whereas Proposition 5th speaks of "jura," Mr. Gladstone translates "*civil* jura." Vid. that Sermon, and the "Month" for December, for remarks on various of these Propositions; but above all Mgr. Dupanloup's works on the subject, Messrs. Burns and Oates, 1865.

9. Mr. Gladstone's 11th, which I do not quite understand in his wording of it, runs thus :—"Catholics can approve of that system of education for youth which is separated from the Catholic faith and the Church's power, and which regards the science only of physical things, and the outlines (fines) of earthly social life alone or at least primarily." How is this not an "Error?" Surely there are Englishmen enough who protest against the elimination of religion from our schools; is such a protest so dire an offence to Mr. Gladstone?

10. And the 12th Error is this :—That "the science of philosophy and of morals, also the laws of the State, can and should keep clear of divine and ecclesiastical authority." This too will not be anything short of an error in the judgment of great numbers of our own people. Is Benthamism so absolutely the Truth, that the Pope is to be denounced because he has not yet become a convert to it?

11. There are only two of the condemnations which really require a word of explanation; I have already referred to them. One is that of Mr. Gladstone's sixth Proposition, "Roman Pontiffs and Ecumenical Councils, have departed from the limits of their power, have usurped the rights of Princes, and even in defining matters of faith and morals have erred." These words are taken from the Lima Priest's book. We have to see then what *he* means by "the Rights of Princes," for the proposition is condemned in *his* sense of the word. It is a rule of the Church in the condemnation of a book to state the proposition condemned in the words of the book itself, without the Church being answerable for the words employed.* I have already referred to this rule in my

* Propositiones, de quibus Ecclesia judicium suum pronunciat, duobus præsertim modis spectari possunt, vel absolute ac in se ipsis, vel relativè ad sensum libri et auctoris. In censurâ propositionis alicujus auctoris vel libri, Ecclesia attendit ad sensum ab eo intentum, qui quidem ex verbis, ex totâ doctrinæ ipsius serie, libri textura et confirmatione, consilio, institutoque elicitur. Propositio libri vel auctoris *æquivoca* esse potest, duplicemque habere sensum, rectum unum et alterum malum. *Ubi contingit Ecclesiam propositiones hujusmodi æquivocas absque prævià distinctione sensuum configere, censura unicè cadit in sensum perversum libri vel auctoris.*—Tournely t. 2, p. 170, ed. 1752.

5th section. Now this Priest included among the rights of Catholic princes that of deposing Bishops from their sacred Ministry, of determining the impediments to marriage, of forming Episcopal sees, and of being free from episcopal authority in spiritual matters. When, then, the Proposition is condemned "that Popes had usurped the rights of Princes;" what is meant is, "the so-called rights of Princes," which were really the rights of the Church, in assuming which there was no usurpation at all.

12. The other proposition, Mr. Gladstone's seventh, the condemnation of which requires a remark, is this: "The Church has not the power to employ force (vis inferendæ) nor any temporal power direct or indirect." This is one of a series of Propositions found in the work of Professor Nuytz, entitled, "Juris Ecclesiastici Institutiones," all of which are condemned in the Pope's Apostolic Letter of August 22, 1851. Now here "employing force" is not the Pope's phrase but Professor Nuytz's, and the condemnation is meant to run thus, "It is an error to say, with Professor Nuytz, that what *he* calls 'employing force' is not allowable to the Church." That this is the right interpretation of the "error" depends of course on a knowledge of the Professor's work, which I have never had an opportunity of seeing; but here I will set down what the received doctrine of the Church is on ecclesiastical punishments, as stated in a work of the highest authority, since it comes to us with letters of approval from Gregory XVI. and Pius IX.

"The opinion," says Cardinal Soglia, "that the coercive power divinely bestowed upon the Church consists in the infliction of spiritual punishments alone, and not in corporal or temporal, seems more in harmony with the gentleness of the Church. Accordingly I follow their judgment, who withdraw from the Church the corporal sword, by which the body is destroyed or blood is shed. Pope Nicholas thus writes: 'The Church has no sword but the spiritual. She does not kill, but gives life, hence that well-known saying, 'Ecclesia abhorret a sanguine.' But the lighter

punishments, though temporal and corporal, such as shutting up in a monastery, prison, flogging, and others of the same kind, short of effusion of blood, the Church *jure suo* can inflict."—(Institut. Jur., pp. 161, 9, Paris.)

And the Cardinal quotes the words of Fleury, "The Church has enjoined on penitent sinners almsgivings, fastings, and other corporal inflictions. . . Augustine speaks of beating with sticks, as sanctioned by the Bishops, after the manner of masters in the case of servants, parents in the case of children and schoolmasters of scholars. Abbots flogged monks in the way of paternal and domestic chastisement.. Imprisonment for a set time or for life is mentioned among canonical penances; priests and other clerics, who had been deposed for their crimes, being committed to prison in order that they might pass the time to come in penance for their crime, which thereby was withdrawn from the memory of the public."

But now I have to answer one question. If what I have said is substantially the right explanation to give to the drift and contents of the Syllabus, have not I to account for its making so much noise, and giving such deep and wide offence on its appearance? It has already been reprobated by the voice of the world. Is there not, then, some reason at the bottom of the aversion felt by educated Europe towards it, which I have not mentioned? This is a very large question to entertain, too large for this place; but I will say one word upon it.

Doubtless one of the reasons of the excitement and displeasure which the Syllabus caused and causes so widely, is the number and variety of the propositions marked as errors, and the systematic arrangement to which they were subjected. So large and elaborate a work struck the public mind as a new law, moral, social and ecclesiastical, which was to be the foundation of a European code, and the beginning of a new world, in opposition to the social principles of the 19th century; and there certainly were persons in high station who encouraged this idea. When this belief was once received, it became the interpretation

of the whole Syllabus through the eighty Propositions, of which it recorded the erroneousness; as if they were all portions of one great scheme of aggression. Then, when the public was definitively directed to the examination of these *Theses damnatæ*, their drift and the meaning of their condemnation was sure to be misunderstood, from the ignorance, in the case of all but ecclesiastics, of the nature and force of ecclesiastical language. The condemnations had been published in the Pope's Encyclicals and Allocutions in the course of the preceding eighteen years, and no one had taken any notice of them; now, when they were brought all together, they on that very account made a great sensation. Next, that same fact seemed in itself a justification, with minds already prejudiced, for expecting in each of them something extraordinary, and even hostile, to society; and then, again, when they were examined one by one, certainly their real sense was often not obvious, and could not be, to the intelligence of laymen, high and low, educated and simple.

Another circumstance, which I am not theologian enough to account for, is this,—that the wording of many of the erroneous propositions, as they are drawn up in the Syllabus, gives an apparent breadth to the matter condemned which is not found in the Pope's own words in his Allocutions and Encyclicals. Not that really there is any difference between the Pope's words and Cardinal Antonelli's, for (as I have shown in various instances) what the former says in the concrete, the latter does but repeat in the abstract; or, to speak logically when the Pope enunciates as true the particular affirmative, "New Granada ought to keep up the establishment of the Catholic Religion," then (since its contradictory is necessarily false) the Cardinal declares," "To say that no State should keep up the establishment of the Catholic Religion is an error." But there is a dignity and beauty in the Pope's own language which the Cardinal's abstract Syllabus cannot have, and this gave to opponents an opportunity to declaim against the Pope, which opportunity was in no sense afforded by what he said himself.

Then, again, it must be recollected, in connexion with what I have said, that theology is a science, and a science of a special kind; its reasoning, its method, its modes of expression, and its language are all its own. Every science must be in the hands of a comparatively few persons—that is, of those who have made it a study. The courts of law have a great number of rules in good measure traditional; so has the House of Commons, and, judging by what one reads in the public prints, men must have a noviceship there before they can be at perfect ease in their position. In like manner young theologians, and still more those who are none, are sure to mistake in matters of detail; indeed a really first-rate theologian is rarely to be found. At Rome the rules of interpreting authoritative documents are known with a perfection which at this time is scarcely to be found elsewhere. Some of these rules, indeed, are known to all priests; but even this general knowledge is not possessed by laymen, much less by Protestants, however able and experienced in their own several lines of study or profession. One of those rules I have had several times occasion to mention. In the censure of books, which offend against doctrine or discipline, it is a common rule to take sentences out of them in the author's own words, whether those words are in themselves good or bad, and to affix some note of condemnation to them in the sense in which they occur in the book in question. Thus it may happen that even what seems at first sight a true statement, is condemned for being made the shelter of an error; for instance: "Faith justifies when it works," or "there is no religion where there is no charity," may be taken in a good sense; but each proposition is condemned in Quesnell, because it is false as he uses it.

A further illustration of the necessity of a scientific education in order to understand the value of Propositions, is afforded by a controversy which has lately gone on among us as to the validity of Abyssinian Orders. In reply to a document urged on one side of the question, it was allowed on the other, that, "if that document was to

be read in the same way as we should read any ordinary judgment, the interpretation which had been given to it was the most obvious and natural." "But it was well known," it was said, "to those who are familiar with the practical working of such decisions, that they are only interpreted with safety in the light of certain rules, which arise out of what is called the *stylus curiæ*." And then some of these rules were given; first, "that to understand the real meaning of a decision, no matter how clearly set forth, we should know the nature of the difficulty or *dubium*, as it was understood by the tribunal that had to decide upon it. Next, nothing but the direct proposition, in its nudest and severest sense, as distinguished from indirect propositions, the grounds of the decision, or implied statements, is ruled by the judgment. Also, if there is anything in the wording of a decision which appears inconsistent with the teaching of an approved body of theologians, &c., the decision is to be interpreted so as to leave such teaching intact;" and so on.* It is plain that the view thus opened upon us has further bearings than that for which I make use of it here.

These remarks on scientific theology apply also of course to its language. I have employed myself in illustration in framing a sentence, which would be plain enough to any priest, but I think would perplex any Protestant. I hope it is not of too light a character to introduce here. We will suppose then a theologian to write as follows:— "Holding, as we do, that there is only *material* sin in those who, being *invincibly* ignorant, reject the truth, therefore in charity we hope that they have the future portion of *formal* believers, as considering that by *virtue* of their good faith, though not of the *body* of the faithful, they *implicitly* and *interpretatively* believe what they seem to deny."

What sense would this statement convey to the mind of a member of some Reformation Society or Protestant League? He would read it as follows, and consider it all

* Month, Nov. and Dec., 1873.

the more insidious and dangerous for its being so very unintelligible :—" Holding, as we do, that there is only a very considerable sin in those who reject the truth out of contumacious ignorance, therefore in charity we hope that they have the future portion of nominal Christians, as considering, that by the excellence of their living faith, though not in the number of believers, they believe without any hesitation, as interpreters [of Scripture?] what they seem to deny."

Now, considering that the Syllabus was intended for the Bishops, who would be the interpreters of it, as the need arose, to their people, and it got bodily into English newspapers even before it was received at many an episcopal residence, we shall not be surprised at the commotion which accompanied its publication.

I have spoken of the causes intrinsic to the Syllabus, which have led to misunderstandings about it. As to external, I can be no judge myself as to what Catholics who have means of knowing are very decided in declaring, the tremendous power of the Secret Societies. It is enough to have suggested here, how a wide-spread organization like theirs might malign and frustrate the most beneficial acts of the Pope. One matter I had information of myself from Rome at the time when the Syllabus had just been published, before there was yet time to ascertain how it would be taken by the world at large. Now, the Rock of St. Peter on its summit enjoys a pure and serene atmosphere, but there is a great deal of Roman *malaria* at the foot of it. While the Holy Father was in great earnestness and charity addressing the Catholic world by his Cardinal Minister, there were circles of light-minded men in his city who were laying bets with each other whether the Syllabus would "make a row in Europe" or not. Of course it was the interest of those who betted on the affirmative side to represent the Pope's act to the greatest disadvantage; and it was very easy to kindle a flame in the mass of English and other visitors at Rome which with a very little nursing was soon strong enough to take care of itself.

§ 8. The Vatican Council.

In beginning to speak of the Vatican Council, I am obliged from circumstances to begin by speaking of myself. The most unfounded and erroneous assertions have publicly been made about my sentiments towards it, and as confidently as they are unfounded. Only a few weeks ago it was stated categorically by some anonymous correspondent of a Liverpool paper, with reference to the prospect of my undertaking the task on which I am now employed, that it was, "in fact, understood that at one time Dr. Newman was on the point of uniting with Dr. Dollinger and his party, and that it required the earnest persuasion of several members of the Roman Catholic Episcopate to prevent him from taking that step,"—an unmitigated and most ridiculous untruth in every word of it, nor would it be worth while to notice it here, except for its connexion with the subject on which I am entering.

But the explanation of such reports about me is easy. They arise from forgetfulness on the part of those who spread them, that there are two sides of ecclesiastical acts, that right ends are often prosecuted by very unworthy means, and that in consequence those who, like myself, oppose a mode of action, are not necessarily opposed to the issue for which it has been adopted. Jacob gained by wrong means his destined blessing. "All are not Israelites, who are of Israel," and there are partizans of Rome who have not the sanctity and wisdom of Rome herself.

I am not referring to anything which took place within the walls of the Council chambers; of that of course we know nothing; but even though things occurred there which it is not pleasant to dwell upon, that would not at all affect, not by an hair's breadth, the validity of the resulting definition, as I shall presently show. What

I felt deeply, and ever shall feel, while life lasts, is the violence and cruelty of journals and other publications, which, taking as they professed to do the Catholic side, employed themselves by their rash language (though, of course, they did not mean it so), in unsettling the weak in faith, throwing back inquirers, and shocking the Protestant mind. Nor do I speak of publications only; a feeling was too prevalent in many places that no one could be true to God and His Church, who had any pity on troubled souls, or any scruple of "scandalizing those little ones who believe in" Christ, and of "despising and destroying him for whom He died."

It was this most keen feeling, which made me say, as I did continually, "I will not believe that the Pope's Infallibility will be defined, till defined it is."

Moreover, a private letter of mine became public property. That letter, to which Mr. Gladstone has referred with a compliment to me which I have not merited, was one of the most confidential I ever wrote in my life. I wrote it to my own Bishop, under a deep sense of the responsibility I should incur, were I not to speak out to him my whole mind. I put the matter from me when I had said my say, and kept no proper copy of the letter. To my dismay I saw it in the public prints: to this day I do not know, nor suspect, how it got there. I cannot withdraw it, for I never put it forward, so it will remain on the columns of newspapers whether I will or not; but I withdraw it as far as I can, by declaring that it was never meant for the public eye.

1. So much as to my posture of mind before the Definition: now I will set down how I felt after it. On July 24, 1870, I wrote as follows:—

"I saw the new Definition yesterday, and am pleased at its moderation—that is, if the doctrine in question is to be defined at all. The terms are vague and comprehensive; and, personally, I have no difficulty in admitting it. The question is, does it come to me with the authority of an Ecumenical Council?

"Now the *primâ facie* argument is in favour of its

having that authority. The Council was legitimately called; it was more largely attended than any Council before it; and innumerable prayers from the whole of Christendom, have preceded and attended it, and merited a happy issue of its proceedings.

"Were it not then for certain circumstances, under which the Council made the definition, I should receive that definition at once. Even as it is, if I were called upon to profess it, I should be unable, considering it came from the Holy Father and the competent local authorities, at once to refuse to do so. On the other hand, it cannot be denied that there are reasons for a Catholic, till better informed, to suspend his judgment on its validity.

"We all know that ever since the opening of the Council, there has been a strenuous opposition to the definition of the doctrine; and that, at the time when it was actually passed, more than eighty Fathers absented themselves from the Council, and would have nothing to do with its act. But, if the fact be so, that the Fathers were not unanimous, is the definition valid? This depends on the question whether unanimity, at least moral, is or is not necessary for its validity? As at present advised I think it is; certainly Pius IV. lays great stress on the unanimity of the Fathers in the Council of Trent. 'Quibus rebus perfectis,' he says in his Bull of Promulgation, 'concilium tantâ *omnium qui illi interfuerunt* concordiâ peractum fuit, ut consensum plane *a Domino* effectum esse constiterit; idque in nostris atque omnium oculis valdè mirabile fuerit.'

"Far different has been the case now,—though the Council is not yet finished. But, if I must now at once decide what to think of it, I should consider that all turned on what the dissentient Bishops now do.

"If they separate and go home without acting as a body, if they act only individually, or as individuals, and each in his own way, then I should not recognize in their opposition to the majority that force, firmness, and unity of view, which creates a real case of want of moral unanimity in the Council.

"Again, if the Council continues to sit, if the dissentient Bishops more or less take part in it, and concur in its acts; if there is a new Pope, and he continues the policy of the present; and if the Council terminates without any reversal or modification of the definition, or any effective movement against it on the part of the dissentients, then again there will be good reason for saying that the want of a moral unanimity has not been made out.

"And further, if the definition is consistently received by the whole body of the faithful, as valid, or as the expression of a truth, then too it will claim our assent by the force of the great dictum, 'Securus judicat orbis terrarum.'

"This indeed is a broad principle by which all acts of the rulers of the Church are ratified. But for it, we might reasonably question some of the past Councils or their acts."

Also I wrote as follows to a friend, who was troubled at the way in which the dogma was passed, in order to place before him in various points of view the duty of receiving it:—

"July 27, 1870.

"I have been thinking over the subject which just now gives you and me with thousands of others, who care for religion, so much concern.

"First, till better advised, nothing shall make me say that a mere majority in a Council, as opposed to a moral unanimity, in itself creates an obligation to receive its dogmatic decrees. This is a point of history and precedent, and of course on further examination I may find myself wrong in the view which I take of history and precedent; but I do not, cannot see, that a majority in the present Council can of itself *rule* its own sufficiency, without such external testimony.

"But there are other means by which I can be brought under the obligation of receiving a doctrine as a dogma. If I am clear that there is a primitive and uninterrupted tradition, as of the divinity of our Lord; or where a high probability drawn from Scripture or Tradition is partially

or probably confirmed by the Church. Thus a particular Catholic might be so nearly sure that the promise to Peter in Scripture proves that the infallibility of Peter is a necessary dogma, as only to be kept from holding it as such by the absence of any judgment on the part of the Church, so that the present unanimity of the Pope and 500 Bishops, even though not sufficient to constitute a formal Synodal act, would at once put him in the position, and lay him under the obligation, of receiving the doctrine as a dogma, that is, to receive it with its anathema.

"Or again, if nothing definitely sufficient from Scripture or Tradition can be brought to contradict a definition, the fact of a legitimate Superior having defined it, may be an obligation in conscience to receive it with an internal assent. For myself, ever since I was a Catholic, I have held the Pope's infallibility as a matter of theological opinion; at least, I see nothing in the Definition which necessarily contradicts Scripture, Tradition, or History; and the "Doctor Ecclesiæ," (as the Pope is styled by the Council of Florence) bids me accept it. In this case, I do not receive it on the word of the Council, but on the Pope's self-assertion.

"And I confess, the fact that all along for so many centuries the Head of the Church and Teacher of the faithful and Vicar of Christ has been allowed by God to assert virtually his infallibility, is a great argument in favour of the validity of his claim.

"Another ground for receiving the dogma, still not upon the direct authority of the Council, or with acceptance of the validity of its act *per se*, is the consideration that our Merciful Lord would not care so little for His elect people, the multitude of the faithful, as to allow their visible Head, and such a large number of Bishops to lead them into error, and an error so serious, if an error. This consideration leads me to accept the doctrine as a dogma, indirectly indeed from the Council, but not so much from a Council, as from the Pope and a very large number of Bishops. The question is not whether they had a right to impose, or even were right in imposing the dogma on the faithful; but whether, having done so, I have not an obli-

gation to accept it, according to the maxim, 'Fieri non debuit, factum valet.'"

This letter, written before the minority had melted away, insists on this principle, that a Council's definition would have a virtual claim on our reception, even though it were not passed *conciliariter*, but in some indirect way; as, for, instance, to use a Parliamentary expression, in general committee, the great object of a Council being in some way or other to declare the judgment of the Church. I think the third Ecumenical will furnish an instance of what I mean. There the question in dispute was settled and defined, even before certain constituent portions of the Episcopal body had made their appearance; and this, with a protest of 68 of the Bishops then present against 82. When the remaining 43 arrived, these did more than protest against the definition which had been carried; they actually anathematised the Fathers who carried it, whose number seems to have stood altogether at 124 against 111; and in this state of disunion the Council ended. How then was its definition valid? By after events, which I suppose must be considered complements, and integral portions of the Council. The heads of the various parties entered into correspondence with each other, and at the end of two years their differences with each other were arranged. There are those who have no belief in the authority of Councils at all, and feel no call upon them to discriminate between one Council and another; but Anglicans, who are so fierce against the Vatican, and so respectful towards the Ephesine, should consider what good reason they have for swallowing the third Council, while they strain out the nineteenth.

The Council of Ephesus furnishes us with another remark, bearing upon the Vatican. It was natural for men who were in the minority at Ephesus to think that the faith of the Church had been brought into the utmost peril by the definition of the Council which they had unsuccessfully opposed. They had done so from their conviction that that definition gave great encouragement to religious errors in the opposite extreme to those which it condemned; and, in

fact, I think that, humanly speaking, the peril was extreme. The event proved it to be so, when twenty years afterwards another Council was held under the successors of the majority at Ephesus and carried triumphantly those very errors whose eventual success had been predicted by the minority. But Providence is never wanting to His Church. St. Leo, the Pope of the day, interfered with this heretical Council, and the innovating party was stopped in its career. Its acts were cancelled at the great Council of Chalcedon, the Fourth Ecumenical, which was held under the Pope's guidance, and, without of course touching the definition of the Third, which had been settled once for all, trimmed the balance of doctrine by completing it, and excluded for ever from the Church those errors which seemed to have received some sanction at Ephesus. There is nothing of course that can be reversed in the Vatican definitions; but, should the need arise, (which is not likely,) to set right a false interpretation, another Leo will be given us for the occasion; "in monte Dominus videbit."

In this remark, made for the benefit of those who need it, as I do not myself, I shelter myself under the following passage of Molina, which a friend has pointed out to me :— "Though the Holy Ghost has always been present to the Church, to hinder error in her definitions, and in consequence they are all most true and consistent, yet it is not therefore to be denied, that God, when any matters have to be defined, requires of the Church a co-operation and investigation of those matters, and that, in proportion to the quality of the men who meet together in Councils, to the investigation and diligence which is applied, and the greater or less experience and knowledge which is possessed more at one time than at other times, definitions more or less perspicuous are drawn up and matters are defined more exactly and completely at one time than at other times.... And, whereas by disputations, persevering reading, meditation, and investigation of matters, there is wont to be increased in course of time the knowledge and understanding of the same, and the Fathers of the later Councils are assisted by the investigation and definitions of the former,

hence it arises that the definitions of later Councils are wont to be more luminous, fuller, more accurate and exact than those of the earlier. Moreover, it belongs to the later Councils to interpret and to define more exactly and fully what in earlier Councils have been defined less clearly, fully, and exactly." (*De Concord. Lib. Arbit.*, &c., xiii. 15, p. 59.)

2. The other main objection to the Vatican Council is founded upon its supposed neglect of history in the decision which its Definition embodies. This objection is touched upon by Mr. Gladstone in the beginning of his Pamphlet, where he speaks of its "repudiation of ancient history," and I have an opportunity given me of noticing it here.

He asserts that, during the last forty years, "more and more have the assertions of continuous uniformity of doctrine" in the Catholic Church "receded into scarcely penetrable shadow. More and more have another series of assertions, of a living authority, ever ready to open, adopt, and shape Christian doctrine according to the times, taken their place." Accordingly, he considers that a dangerous opening has been made in the authoritative teaching of the Church for the repudiation of ancient truth and the rejection of new. However, as I understand him, he withdraws this charge from the controversy he has initiated (though not from his Pamphlet) as far as it is aimed at the pure theology of the Church. It "belongs," he says, "to the theological domain," and "is a matter unfit for him to discuss, as it is a question of divinity." It has been, then, no duty of mine to consider it, except as it relates to matters ecclesiastical; but I am unwilling, when a charge has been made against our theology, though unsupported, yet unretracted, to leave it altogether without reply; and that the more, because, after renouncing "questions of divinity" at p. 14, nevertheless Mr. Gladstone brings them forward again at p. 15, speaking, as he does, of the "deadly blows of 1854 and 1870 at the old, historic, scientific, and moderate school" by the definitions of the Immaculate Conception and Papal Infallibility.

Mr. Gladstone then insists on the duty of "maintaining the truth and authority of history, and the inestimable value

of the historic spirit;" and so far of course I have the pleasure of heartily agreeing with him. As the Church is a sacred and divine creation, so in like manner her history, with its wonderful evolution of events, the throng of great actors who have a part in it, and its multiform literature, stained though its annals are with human sin and error, and recorded on no system, and by uninspired authors, still is a sacred work also; and those who make light of it, or distrust its lessons, incur a grave responsibility. But it is not every one who can read its pages rightly; and certainly I cannot follow Mr. Gladstone's reading of it. He is too well informed indeed, too large in his knowledge, too acute and comprehensive in his views, not to have an acquaintance with history far beyond the run of even highly educated men; still, when he accuses us of deficient attention to history, one cannot help asking, whether he does not, as a matter of course, take for granted as true the principles for using it familiar with Protestant divines, and denied by our own, and in consequence whether his impeachment of us does not resolve itself into the fact that he is Protestant and we are Catholics. Nay, has it occurred to him that perhaps it is the fact, that we have views on the relation of History to Dogma different from those which Protestants maintain? And is he so certain of the facts of History in detail, of their relevancy, and of their drift, as to have a right, I do not say to have an opinion of his own, but to publish to the world, on his own warrant, that we have "repudiated ancient history?" He publicly charges us, not merely with having "neglected" it, or "garbled" its evidence, or with having contradicted certain ancient usages or doctrines to which it bears witness, but he says "repudiated." He could not have used a stronger term, supposing the Vatican Council had, by a formal act, cut itself off from early times, instead of professing, as it does (hypocritically, if you will, but still professing) to speak "supported by Holy Scripture and the decrees both of preceding Popes and General Councils," and "faithfully adhering to the aboriginal tradition of the Church." Ought any one but an *oculatus testis*, a man whose profession was to

acquaint himself with the details of history, to claim to himself the right of bringing, on his own authority, so extreme a charge against so august a power, so inflexible and rooted in its traditions through the long past, as Mr. Gladstone would admit the Roman Church to be?

Of course I shall be reminded that, though Mr. Gladstone cannot be expected to speak on so large a department of knowledge with the confidence decorous in one who has made a personal study of it, there are others who have a right to do so; and that by those others he is corroborated and sanctioned. There are authors, it may be said, of so commanding an authority from their learning and their honesty, that, for the purposes of discussion or of controversy, what they say may be said by any one else without presumption or risk of confutation. I will never say a word of my own against those learned and distinguished men to whom I refer. No: their present whereabout, wherever it is, is to me a thought full of melancholy. It is a tragical event, both for them and for us, that they have left us. It robs us of a great *prestige;* they have left none to take their place. I think them utterly wrong in what they have done and are doing; and, moreover, I agree as little in their view of history as in their acts. Extensive as may be their historical knowledge, I have no reason to think that they, more than Mr. Gladstone, would accept the position which History holds among the *Loci Theologici*, as Catholic theologians determine it; and I am denying not their report of facts, but their use of the facts they report, and that, because of that special stand-point from which they view the relations existing between the records of History and the enunciations of Popes and Councils. They seem to me to expect from History more than History can furnish, and to have too little confidence in the Divine Promise and Providence as guiding and determining those enunciations.

Why should Ecclesiastical History, any more than the text of Scripture, contain in it "the whole counsel of God?" Why should private judgment be unlawful in interpreting Scripture against the voice of authority, and yet be lawful

in the interpretation of History? There are those who make short work of questions such as these by denying authoritative interpretation altogether; that is their private concern, and no one has a right to inquire into their reason for so doing; but the case would be different were such a man to come forward publicly, and to arraign others, without first confuting their theological *præambula*, for repudiating history, or for repudiating the Bible.

For myself, I would simply confess that no doctrine of the Church can be rigorously proved by historical evidence; but at the same time that no doctrine can be simply disproved by it. Historical evidence reaches a certain way, more or less, towards a proof of the Catholic doctrines; often nearly the whole way; sometimes it goes only so far as to point in their direction; sometimes there is only an absence of evidence for a conclusion contrary to them; nay, sometimes there is an apparent leaning of the evidence to a contrary conclusion, which has to be explained;—in all cases there is a margin left for the exercise of faith in the word of the Church. He who believes the dogmas of the Church only because he has reasoned them out of History, is scarcely a Catholic. It is the Church's use of History in which the Catholic believes; and she uses other informants also, Scripture, Tradition, the ecclesiastical sense, or φρόνημα, and a subtle ratiocinative power, which in its origin is a divine gift. There is nothing of bondage or "renunciation of mental freedom" in this view, any more than in the converts of the Apostles believing what the Apostles might preach to them or teach them out of Scripture.

What has been said of History in relation to the formal Definitions of the Church, applies also to the exercises of Ratiocination. Our logical powers, too, being a gift from God, may claim to have their informations respected; and Protestants sometimes accuse our theologians, for instance, the medieval schoolmen, of having used them in divine matters a little too freely. But it has ever been our teaching and our protest that, as there are doctrines which lie beyond the direct evidence of history, so there are doctrines which transcend the discoveries of reason; and,

after all, whether they are more or less recommended to us by the one informant or the other, in all cases the immediate motive in the mind of a Catholic for his reception of them is, not that they are proved to him by Reason or by History, but because Revelation has declared them by means of that high ecclesiastical *Magisterium* which is their legitimate exponent.

What has been said also applies to those other truths, with which Ratiocination has more to do than History, which are sometimes called developments of Christian doctrine, truths which are not upon the surface of the Apostolic *depositum*—that is, the legacy of Revelation,—but which from time to time are brought into form by theologians, and sometimes have been proposed to the faithful by the Church, as direct objects of faith. No Catholic would hold that they ought to be logically deduced in their fulness and exactness from the belief of the first centuries, but only this,—that, on the assumption of the Infallibility of the Church (which will overcome every objection except a contradiction in thought), there is nothing greatly to try the reason in such difficulties as occur in reconciling those evolved doctrines with the teaching of the ancient Fathers; such development being evidently the new form, explanation, transformation, or carrying out of what in substance was held from the first, what the Apostles said, but have not recorded in writing, or would necessarily have said under our circumstances, or if they had been asked, or in view of certain uprisings of error, and in that sense really portions of the legacy of truth, of which the Church, in all her members, but especially in her hierarchy, is the divinely appointed trustee.

Such an evolution of doctrine has been, as I would maintain, a law of the Church's teaching from the earliest times, and in nothing is her title of "semper eadem" more remarkably illustrated than in the correspondence of her ancient and modern exhibition of it. As to the ecclesiastical Acts of 1854 and 1870, I think with Mr. Gladstone that the principle of doctrinal development, and that of authority, have never in the proceedings of the Church

been so freely and largely used as in the Definitions then promulgated to the faithful; but I deny that at either time the testimony of history was repudiated or perverted. The utmost that can be fairly said by an opponent against the theological decisions of those years is, that antecedently to the event, it might appear that there were no sufficient historical grounds in behalf of either of them—I do not mean for a personal belief in either, but—for the purpose of converting a doctrine long existing in the Church into a dogma, and making it a portion of the Catholic Creed. This adverse anticipation was proved to be a mistake by the fact of the definition being made.

3. Here I will say just a few words on the case of Pope Honorius, whose condemnation by anathema in the 6th Ecumenical Council, is certainly a strong *primâ facie* argument against the Pope's doctrinal infallibility. His case is this :—Sergius, Patriarch of Constantinople, favoured, or rather did not condemn, a doctrine concerning our Lord's Person which afterwards the sixth Council pronounced to be heresy. He consulted Pope Honorius upon the subject, who in two formal letters declared his entire concurrence with Sergius's opinion. Honorius died in peace, but, more than forty years after him, the 6th Ecumenical Council was held, which condemned him as a heretic on the score of those two letters. The simple question is, whether the heretical documents proceeded from him as an infallible authority or as a private Bishop.

Now I observe that, whereas the Vatican Council has determined that the Pope is infallible only when he speaks *ex cathedrâ*, and that, in order to speak *ex cathedrâ*, he must at least speak " as exercising the office of Pastor and Doctor of all Christians, defining, by virtue of his Apostolical authority, a doctrine whether of faith or of morals for the acceptance of the universal Church " (though Mr. Gladstone strangely says, p. 34, " There is *no* established or accepted definition of the phrase *ex cathedrâ*") from this Pontifical and dogmatic explanation of the phrase it follows, that, whatever Honorius said in answer to Sergius, and whatever he held, his words were not *ex cathedrâ*, and therefore did not proceed from his infallibility

I say so first, because he could not fulfil the above conditions of an *ex cathedrâ* utterance, if he did not actually *mean* to fulfil them. The question is unlike the question about the Sacraments; external and positive acts, whether material actions or formal words, speak for themselves. Teaching on the other hand has no sacramental visible signs; it is mainly a question of intention. Who would say that the architriclinus at the wedding feast who said, "Thou hast kept the good wine until now," was teaching the Christian world, though the words have a great ethical and evangelical sense? What is the worth of a signature, if a man does not consider he is signing? The Pope cannot address his people East and West, North and South, without meaning it, as if his very voice, the sounds from his lips, could literally be heard from pole to pole; nor can he exert his "Apostolical authority" without knowing he is doing so; nor can he draw up a form of words and use care and make an effort in doing so accurately, without intention to do so; and, therefore, no words of Honorius proceeded from his prerogative of infallible teaching, which were not accompanied with the intention of exercising that prerogative; and who will dream of saying, be he Anglican, Protestant, unbeliever, or on the other hand Catholic, that Honorius in the 7th century did actually intend to exert that infallible teaching voice which has been dogmatically recognized in the nineteenth?

What resemblance do these letters of his, written almost as private instructions, bear to the "Pius Episcopus, Servus Servorum Dei, Sacro approbante Concilio, ad *perpetuam rei memoriam*," with the "Si quis huic nostræ definitioni contradicere, (quod Deus avertat), præsumpserit, *anathema* sit" of the *Pastor Æternus*? What to the "Venerabilibus fratribus, Patriarchis, primatibus, Archiepiscopis, et Episcopis *universis*," &c., and with the date and signature, "Datum Romæ apud Sanctum Petrum, Die 8 Dec. anno 1864, &c. Pius P.P. IX." of the *Quantâ curâ*?

Secondly, it is no part of our doctrine, as I shall say in my next section, that the discussions previous to a Council's definition, or to an *ex Cathedrâ* utterance of a

Pope, are infallible, and these letters of Honorius on their very face are nothing more than portions of a discussion with a view to some final decision.

For these two reasons the condemnation of Honorius by the Council in no sense compromises the doctrine of Papal Infallibility. At the utmost it only decides that Honorius in his own person was a heretic, which is inconsistent with no Catholic doctrine ; but we may rather hope and believe that the anathema fell, not upon him, but upon his letters in their objective sense, he not intending personally what his letters legitimately expressed.

4. I have one more remark to make upon the argumentative method by which the Vatican Council was carried on to its definition. The *Pastor Æternus* refers to various witnesses as contributing their evidence towards the determination of the contents of the *depositum*, such as Tradition, the Fathers and Councils, History, and especially Scripture. For instance, the Bull, speaks of the Gospel ("juxta Evangelii testimonia," c. 1) and of Scripture "manifesta S.S. Scripturarum doctrina," c. 1 : "apertis S.S. Literarum testimoniis," c. 3. "S.S. Scripturis consentanea," c. 4.) And it lays an especial stress on three passages of Scripture in particular—viz., "Thou art Peter," &c., Matthew xvi, 16-19 ; "I have prayed for thee," &c., Luke xxii., 32, and "Feed My sheep," &c., John xxi., 15-17. Now I wish all objectors to our method of reasoning from Scripture would view it in the light of the following passage in the great philosophical work of Butler, Bishop of Durham.

He writes as follows—"As it is owned the whole scheme of Scripture is not yet understood, so, if it ever comes to be understood, before the 'restitution of all things,' and without miraculous interpositions, it must be in the same way as natural knowledge is come at, by the continuance and progress of learning and of liberty, and by particular persons attending to, comparing, and pursuing intimations scattered up and down it, which are overlooked and disregarded by the generality of the world. For this is the way in which all improvements are made by thoughtful

men tracing on obscure hints, as it were, dropped us by nature accidentally, or which seem to come into our minds by chance. Nor is it at all incredible that a book, which has been so long in the possession of mankind, should contain many truths as yet undiscovered. For all the same phenomena, and the same faculties of investigation, from which such great discoveries in natural knowledge have been made in the present and last age, were equally in the possession of mankind several thousand years before. And possibly it might be intended that events, as they come to pass, should open and ascertain the meaning of several parts of Scripture," ii. 3, *vide* also ii. 4, fin.

What has the long history of the contest for and against the Pope's infallibility been, but a growing insight through centuries into the meaning of those three texts, to which I just now referred, ending at length by the Church's definitive recognition of the doctrine thus gradually manifested to her ?

§ 9 The Vatican Definition.

Now I am to speak of the Vatican definition, by which the doctrine of the Pope's infallibility has become *de fide*, that is, a truth necessary to be believed, as being included in the original divine revelation, for those terms, revelation, *depositum*, dogma, and *de fide*, are correlatives; and I begin with a remark which suggests the drift of all I have to say about it. It is this:—that so difficult a virtue is faith, even with the special grace of God, in proportion as the reason is exercised, so difficult is it to assent inwardly to propositions, verified to us neither by reason nor experience, but depending for their reception on the word of the Church as God's oracle, that she has ever shown the utmost care to contract, as far as possible, the range of truths and the sense of propositions, of which she demands this absolute reception. "The Church," says Pallavicini, "as far as may be, has ever abstained from imposing upon the minds of men that commandment, the most arduous of the Christian Law—viz., to believe obscure matters without doubting."* To co-operate in this charitable duty has been one special work of her theologians, and rules are laid down by herself, by tradition, and by custom, to assist them in the task. She only speaks when it is necessary to speak; but hardly has she spoken out magisterially some great general principle, when she sets her theologians to work to explain her meaning in the concrete, by strict interpretation of its wording, by the illustration of its circumstances, and by the recognition of exceptions, in order to make it as tolerable as possible, and the least of a temptation, to self-willed, independent, or wrongly educated minds. A few years ago it was the fashion among us to

* Quoted by Father Ryder, (to whom I am indebted for other of my references,) in his "Idealism in Theology," p. 25.

call writers, who conformed to this rule of the Church, by the name of "Minimizers;" that day of tyrannous *ipse-dixits*, I trust, is over: Bishop Fessler, a man of high authority, for he was Secretary General of the Vatican Council, and of higher authority still in his work, for it has the approbation of the Sovereign Pontiff, clearly proves to us that a moderation of doctrine, dictated by charity, is not inconsistent with soundness in the faith. Such a sanction, I suppose, will be considered sufficient for the character of the remarks which I am about to make upon definitions in general, and upon the Vatican in particular.

The Vatican definition, which comes to us in the shape of the Pope's Encyclical Bull called the *Pastor Æternus*, declares that "the Pope has that same infallibility which the Church has:"* to determine therefore what is meant by the infallibility of the Pope we must turn first to consider the infallibility of the Church. And again, to determine the character of the Church's infallibility, we must consider what is the characteristic of Christianity, considered as a revelation of God's will.

Our Divine Master might have communicated to us heavenly truths without telling us that they came from Him, as it is commonly thought He has done in the case of heathen nations; but He willed the Gospel to be a revelation acknowledged and authenticated, to be public, fixed, and permanent; and accordingly, as Catholics hold, He framed a Society of men to be its home, its instrument, and its guarantee. The rulers of that Association are the legal trustees, so to say, of the sacred truths which He spoke to the Apostles by word of mouth. As He was leaving them, He gave them their great commission, and bade them "teach" their converts all over the earth, "to observe all things whatever He had commanded them;" and then He added, "Lo, I am with you always, even to the end of the world."

* Romanum Pontificem eâ infallibilitate pollere, quâ divinus Redemptor Ecclesiam suam in definiendâ doctrinâ de fide vel moribus instructam esse voluit.

Here, first, He told them to "teach" His revealed Truth; next, "to the consummation of all things;" thirdly, for their encouragement, He said that He would be with them "all days," all along, on every emergency or occasion, until that consummation. They had a duty put upon them of teaching their Master's words, a duty which they could not fulfil in the perfection which fidelity required, without His help; therefore came His promise to be with them in their performance of it. Nor did that promise of supernatural help end with the Apostles personally, for He adds, "to the consummation of the world," implying that the Apostles would have successors, and engaging that He would be with those successors as He had been with them.

The same safeguard of the Revelation—viz., an authoritative, permanent tradition of teaching is insisted on by an informant of equal authority with St. Matthew, but altogether independent of him, I mean St. Paul. He calls the Church "the pillar and ground of the Truth;" and he bids his convert Timothy, when he had become a ruler in that Church, to "take heed unto his doctrine," to "keep the deposit" of the faith, and to "commit" the things which he had heard from himself "to faithful men who should be fit to teach others."

This is how Catholics understand the Scripture record, nor does it appear how it can otherwise be understood; but, when we have got as far as this, and look back, we find that we have by implication made profession of a further doctrine. For, if the Church, initiated by the Apostles and continued in their successors, has been set up for the direct object of protecting, preserving, and declaring the Revelation, and that by means of the Guardianship and Providence of its Divine Author, we are led on to perceive that, in asserting this, we are in other words asserting, that, so far as the revealed message is concerned, the Church is infallible; for what is meant by infallibility in teaching but that the teacher in his teaching is secured from error? and how can fallible man be thus secured except by a supernatural infallible guidance? And what can have

been the object of the words, "I am with you all along to the end," but to give thereby an answer by anticipation to the spontaneous, silent alarm of the feeble company of fishermen and labourers, to whom they were addressed, on their finding themselves laden with superhuman duties and responsibilities.

Such then being, in its simple outline, the infallibility of the Church, such too will be the Pope's infallibility, as the Vatican Fathers have defined it. And if we find that by means of this outline we are able to fill out in all important respects the idea of a Council's infallibility, we shall thereby be ascertaining in detail what has been defined in 1870 about the infallibility of the Pope. With an attempt to do this I shall conclude.

1. The Church has the office of teaching, and the matter of that teaching is the body of doctrine, which the Apostles left behind them as her perpetual possession. If a question arises as to what the Apostolic doctrine is on a particular point, she has infallibility promised to her to enable her to answer correctly. And, as by the teaching of the Church is understood, not the teaching of this or that Bishop, but their united voice, and a Council is the form the Church must take, in order that all men may recognize that in fact she is teaching on any point in dispute, so in like manner the Pope must come before us in some special form or posture, if he is to be understood to be exercising his teaching office, and that form is called *ex cathedrâ*. This term is most appropriate, as being on one occasion used by our Lord Himself. When the Jewish doctors taught, they placed themselves in Moses' seat, and spoke *ex cathedrâ*; and then, as He tells us, they were to be obeyed by their people, and that, whatever were their private lives or characters. "The Scribes and Pharisees," He says, "are seated on the chair of Moses: all things therefore whatsoever they shall say to you, observe and do; but according to their works do you not, for they say and do not."

2. The forms, by which a General Council is identified

as representing the Church herself, are too clear to need drawing out; but what is to be that moral *cathedra*, or teaching chair, in which the Pope sits, when he is to be recognized as in the exercise of his infallible teaching? The new definition answers this question. He speaks *ex cathedrâ*, or infallibly, when he speaks, first, as the Universal Teacher; secondly, in the name and with the authority of the Apostles; thirdly, on a point of faith or morals; fourthly, with the purpose of binding every member of the Church to accept and believe his decision.

3. These conditions of course contract the range of his infallibility most materially. Hence Billuart speaking of the Pope, says, "Neither in conversation, nor in discussion, nor in interpreting Scripture or the Fathers, nor in consulting, nor in giving his reasons for the point which he has defined, nor in answering letters, nor in private deliberations, supposing he is setting forth his own opinion, is the Pope infallible," t. ii., p. 110.* . And for this simple reason, because, on these various occasions of speaking his mind, he is not in the chair of the universal doctor.

4. Nor is this all; the greater part of Billuart's negatives refer to the Pope's utterances when he is out of the *Cathedra Petri*, but even, when he is in it, his words do not necessarily proceed from his infallibility. He has no wider prerogative than a Council, and of a Council Perrone says, "Councils are not infallible in the reasons by which they are led, or on which they rely, in making their definition, nor in matters which relate to persons, nor to physical matters which have no necessary connexion with dogma." *Præl. Theol.* t. 2, p. 492. Thus, if a Council has condemned a work of Origen or Theodoret, it did not in so condemning go beyond the work itself; it did not touch the persons of either. Since this holds of a Council, it also holds in the case of the Pope; therefore, supposing a Pope has quoted the so-called works of the Areopagite as if really

* And so Fessler: "The Pope is not infallible as a man, or a theologian, or a priest, or a bishop, or a temporal prince, or a judge, or a legislator, or in his political views, or even in his government of the Church."—*Introd.*

genuine, there is no call on us to believe him; nor again, when he condemned Galileo's Copernicanism, unless the earth's immobility has a "necessary connexion with some dogmatic truth," which the present bearing of the Holy See towards that philosophy virtually denies.

5. Nor is a Council infallible, even in the prefaces and introductions to its definitions. There are theologians of name, as Tournely and Amort,* who contend that even those most instructive *capitula* passed in the Tridentine Council, from which the Canons with anathemas are drawn up, are not portions of the Church's infallible teaching; and the parallel introductions prefixed to the Vatican anathemas have an authority not greater nor less than that of those capitula.

6. Such passages, however, as these are too closely connected with the definitions themselves, not to be what is sometimes called, by a *catachresis*, "proximum fidei;" still, on the other hand, it is true also that, in those circumstances and surroundings of formal definitions, which I have been speaking of, whether of a Council or a Pope, there may be not only no exercise of an infallible voice, but actual error. Thus, in the Third Council, a passage of an heretical author was quoted in defence of the doctrine defined, under the belief he was Pope Julius, and narratives, not trustworthy, are introduced into the Seventh.

This remark and several before it will become intelligible if we consider that neither Pope nor Council are on a level with the Apostles. To the Apostles the whole revelation was given, by the Church it is transmitted; no simply new truth has been given to us since St. John's death; the one office of the Church is to guard "that noble deposit" of truth, as St. Paul speaks to Timothy, which the Apostles bequeathed to her, in its fulness and integrity. Hence the infallibility of the Apostles was of a far more positive and wide character than that needed by and granted to the Church. We call it, in the case of the Apostles, inspiration; in the case of the Church *assistentia*.

* *Vid.* Amort. Dem. Cr., pp. 205—6. This applies to the Unam Sanctam, *vid.* Fessler.

Of course there is a sense of the word "inspiration" in which it is common to all members of the Church, and therefore especially to its Bishops, and still more directly to its rulers, when solemnly called together in Council after much prayer throughout Christendom, and in a frame of mind especially serious and earnest by reason of the work they have in hand. The Paraclete certainly is ever with them, and more effectively in a Council, as being "in Spiritu Sancto congregata;" but I speak of the special and promised aid necessary for their fidelity to Apostolic teaching; and, in order to secure this fidelity, no inward gift of infallibility is needed, such as the Apostles had, no direct suggestion of divine truth, but simply an external guardianship, keeping them off from error (as a man's Guardian Angel, without enabling him to walk, might, on a night journey, keep him from pitfalls in his way), a guardianship saving them, as far as their ultimate decisions are concerned, from the effects of their inherent infirmities, from any chance of extravagance, of confusion of thought, of collision with former decisions or with Scripture, which in seasons of excitement might reasonably be feared.

"Never," says Perrone, "have Catholics taught that the gift of infallibility is given by God to the Church after the manner of inspiration."—t. 2, p. 253. Again: "[Human] media of arriving at the truth are excluded neither by a Council's nor by a Pope's infallibility, for God has promised it, not by way of an infused" or habitual "gift, but by the way of *assistentia*."—*ibid.* p. 541.

But since the process of defining truth is human, it is open to the chance of error; what Providence has guaranteed is only this, that there should be no error in the final step, in the resulting definition or dogma.

7. Accordingly, all that a Council, and all that the Pope, is infallible in, is the direct answer to the special question which he happens to be considering; his prerogative does not extend beyond a power, when in his *Cathedra*, of giving that very answer truly. "Nothing," says Perrone, "but the *objects* of dogmatic definitions of Councils are immutable, for in these are Councils infallible, not in their *reasons*," &c.—*ibid.*

8. This rule is so strictly to be observed that, though dogmatic statements are found from time to time in a Pope's Apostolic Letters, &c., yet they are not accounted to be exercises of his infallibility if they are said only *obiter*—by the way, and without direct intention to define. A striking instance of this *sine qua non* condition is afforded by Nicholas I., who, in a letter to the Bulgarians, spoke as if baptism were valid, when administered simply in our Lord's Name, without distinct mention of the Three Persons; but he is not teaching and speaking *ex cathedrâ*, because no question on this matter was in any sense the occasion of his writing. The question asked of him was concerning the *minister* of baptism—viz., whether a Jew or Pagan could validly baptize; in answering in the affirmative, he added *obiter*, as a private doctor, says Bellarmine, "that the baptism was valid, whether administered in the name of the three Persons or in the name of Christ only." (*de Rom. Pont.*, iv. 12.)

9. Another limitation is given in Pope Pius's own conditions set down in the *Pastor Æternus*, for the exercise of infallibility: viz., the proposition defined will be without any claim to be considered binding on the belief of Catholics, unless it is referable to the Apostolic *depositum*, through the channel either of Scripture or Tradition; and, though the Pope is the judge whether it is so referable or not, yet the necessity of his professing to abide by this reference is in itself a certain limitation of his dogmatic action. A Protestant will object indeed that, after his distinctly asserting that the Immaculate Conception and the Papal Infallibility are in Scripture and Tradition, this safeguard against erroneous definitions is not worth much, nor do I say that it is one of the most effective; but any how, in consequence of it, no Pope any more than a Council, could, for instance, introduce Ignatius's Epistles into the Canon of Scripture;—and, as to his dogmatic condemnation of particular books, which, of course, are foreign to the *depositum*, I would say, that, as to their false doctrine there can be no difficulty in condemning that, by means of that Apostolic deposit; nor surely in his condemning the very wording, in which they convey it, when

the subject is carefully considered. For the Pope's condemning the language, for instance, of Jansenius is a parallel act to the Church's receiving the word "Consubstantial," and if a Council and the Pope were not infallible so far in their judgment of language, neither Pope nor Council could draw up a dogmatic definition at all, for the right exercise of words is involved in the right exercise of thought.

10. And in like manner, as regards the precepts concerning moral duties, it is not in every such precept that the Pope is infallible. As a definition of faith must be drawn from the Apostolic *depositum* of doctrine, in order that it may be considered an exercise of infallibility, whether in the Pope or a Council, so too a precept of morals, if it is to be accepted as dogmatic, must be drawn from the Moral law, that primary revelation to us from God.

That is, in the first place, it must relate to things in themselves good or evil. If the Pope prescribed lying or revenge, his command would simply go for nothing, as if he had not issued it, because he has no power over the Moral Law. If he forbade his flock to eat any but vegetable food, or to dress in a particular fashion (questions of decency and modesty not coming into the question), he would in like manner be going beyond his province, because such a rule does not relate to a matter in itself good or bad. If he gave a precept all over the world for the adoption of lotteries instead of tithes or offerings, certainly it would be very hard to prove that he was contradicting the Moral Law, or ruling a practice to be in itself good which was in itself evil. There are few persons but would allow that it is at least doubtful whether lotteries are abstractedly evil, and in a doubtful matter the Pope is to be believed and obeyed.

However, there are other conditions besides this, necessary for the exercise of Papal infallibility in moral subjects:—for instance, his definition must relate to things necessary for salvation. No one would so speak of lotteries, nor of a particular dress, or of a particular kind of food;—such precepts, then, did he make them, would be simply external to the range of his prerogative.

And again, his infallibility in consequence is not called into exercise, unless he speaks to the whole world; for, if his precepts, in order to be dogmatic, must enjoin what is necessary to salvation, they must be necessary for all men. Accordingly orders which issue from him for the observance of particular countries, or political or religious classes, have no claim to be the utterances of his infallibility. If he enjoins upon the hierarchy of Ireland to withstand mixed education, this is no exercise of his infallibility.

It may be added that the field of morals contains so little that is unknown and unexplored, in contrast with revelation and doctrinal fact, which form the domain of faith, that it is difficult to say what portions of moral teaching in the course of 1800 years actually have proceeded from the Pope, or from the Church, or where to look for such. Nearly all that either oracle has done in this respect, has been to condemn such propositions as in a moral point of view are false, or dangerous, or rash; and these condemnations, besides being such as in fact, will be found to command the assent of most men, as soon as heard, do not necessarily go so far as to present any positive statements for universal acceptance.

11. With the mention of condemned propositions I am brought to another and large consideration, which is one of the best illustrations that I can give of that principle of minimizing so necessary, as I think, for a wise and cautious theology; at the same time I cannot insist upon it in the connexion into which I am going to introduce it, without submitting myself to the correction of divines more learned than I can pretend to be myself.

The infallibility, whether of the Church or of the Pope, acts principally or solely in two channels, in direct statements of truth, and in the condemnation of error. The former takes the shape of doctrinal definitions, the latter stigmatizes propositions as heretical, next to heresy, erroneous, and the like. In each case the Church, as guided by her Divine Master, has made provision for weighing as lightly as possible on the faith and conscience of her children.

As to the condemnation of propositions all she tells us is, that the thesis condemned when taken as a whole, or, again, when viewed in its context, is heretical, or blasphemous, or impious, or whatever other epithet she affixes to it. We have only to trust her so far as to allow ourselves to be warned against the thesis, or the work containing it. Theologians employ themselves in determining what precisely it is that is condemned in that thesis or treatise; and doubtless in most cases they do so with success; but that determination is not *de fide*; all that is of faith is that there is in that thesis itself, which is noted, heresy or error, or other peccant matter, as the case may be, such, that the censure is a peremptory command to theologians, preachers, students, and all other whom it concerns, to keep clear of it. But so light is this obligation, that instances frequently occur, when it is successfully maintained by some new writer, that the Pope's act does not imply what it has seemed to imply, and questions which seemed to be closed, are after a course of years re-opened. In discussions such as these, there is a real exercise of private judgment, and an allowable one; the act of faith, which cannot be superseded or trifled with, being, I repeat, the unreserved acceptance that the thesis in question is heretical, or erroneous in faith, &c., as the Pope or the Church has spoken of it.

In these cases which in a true sense may be called the Pope's *negative* enunciations, the opportunity of a legitimate minimizing lies in the intensely concrete character of the matters condemned; in his affirmative enunciations a like opportunity is afforded by their being more or less abstract. Indeed, excepting such as relate to persons, that is, to the Trinity in Unity, the Blessed Virgin, the Saints, and the like, all the dogmas of Pope or of Council are but general, and so far, in consequence, admit of exceptions in their actual application,—these exceptions being determined either by other authoritative utterances, or by the scrutinizing vigilance, acuteness, and subtlety of the *Schola Theologorum.*

One of the most remarkable instances of what I am

insisting on is found in a dogma, which no Catholic can ever think of disputing, viz., that "Out of the Church, and out of the faith, is no salvation." Not to go to Scripture, it is the doctrine of St. Ignatius, St. Irenæus, St. Cyprian in the first three centuries, as of St. Augustine and his contemporaries in the fourth and fifth. It can never be other than an elementary truth of Christianity; and the present Pope has proclaimed it as all Popes, doctors, and bishops before him. But that truth has two aspects, according as the force of the negative falls upon the "Church" or upon the "salvation." The main sense is, that there is no other communion or so-called Church, but the Catholic, in which are stored the promises, the sacraments and other means of salvation; the other and derived sense is, that no one can be saved who is not in that one and only Church. But it does not follow, because there is no Church but one which has the Evangelical gifts and privileges to bestow, that therefore no one can be saved without the intervention of that one Church. Anglicans quite understand this distinction; for, on the one hand, their Article says, "They are to be had accursed (anathematizandi) that presume to say, that every man shall be saved *by* (in) the law or sect which he professeth, so that he be diligent to frame his life according to that law and the light of nature;" while on the other hand they speak of and hold the doctrine of the "uncovenanted mercies of God." The latter doctrine in its Catholic form is the doctrine of invincible ignorance—or, that it is possible to belong to the soul of the Church without belonging to the body; and, at the end of 1,800 years, it has been formally and authoritatively put forward by the present Pope (the first Pope, I suppose, who has done so,) on the very same occasion on which he has repeated the fundamental principle of exclusive salvation itself. It is to the purpose here to quote his words; they occur in the course of his Encyclical, addressed to the Bishops of Italy, under date of August 10, 1863.

"*We and you know*, that those who lie under invin-

cible ignorance as regards our most Holy Religion, and who, diligently observing the natural law, and its precepts, which are engraven by God on the hearts of all, and prepared to obey God, lead a good and upright life, are able, by the operation of the power of divine light and grace, to obtain eternal life."*

Who would at first sight gather from the wording of so forcible a universal, that an exception to its operation, such as this, so distinct, and, for what we know, so very wide, was consistent with holding it?

Another instance of a similar kind is the general acceptance in the Latin Church, since the time of St. Augustine, of the doctrine of absolute predestination, as instanced in the teaching of other great saints besides him, such as St. Fulgentius, St. Prosper, St. Gregory, St. Thomas, and St. Buonaventure. Yet in the last centuries a great explanation and modification of this doctrine has been effected by the efforts of the Jesuit School, which have issued in the reception of a distinction between predestination to grace and predestination to glory; and a consequent admission of the principle that, though our own works do not avail for bringing us into a state of salvation on earth, they do avail, when in that state of salvation or grace, for our attainment of eternal glory in heaven. Two saints of late centuries, St. Francis de Sales and St. Alfonso, seem to have professed this less rigid opinion, which is now the more common doctrine of the day.

Another instance is supplied by the Papal decisions concerning Usury. Pope Clement V., in the Council of Vienne, declares, "If any one shall have fallen into the error of pertinaciously presuming to affirm that usury is no sin, we determine that he is to be punished as a heretic." However, in the year 1831 the Sacred *Pœnitentiaria* answered an inquiry on the subject, to the effect that

* The Pope speaks more forcibly still in an earlier Allocution. After mentioning invincible ignorance he adds :—"Quis tantum sibi arroget, ut hujusmodi ignorantiæ designare limites queat, juxta populorum, regionum, ingeniorum, aliarumque rerum tam multarum rationem et varietatem?"—*Dec.* 9, 1854.

the Holy See suspended its decision on the point, and that a confessor who allowed of usury was not to be disturbed, "non esse inquietandum." Here again a double aspect seems to have been realized of the idea intended by the word *usury*.

To show how natural this process of partial and gradually developed teaching is, we may refer to the apparent contradiction of Bellarmine, who says "the Pope, whether he can err or not, is to be obeyed by all the faithful," (*Rom. Pont.* iv. 2), yet, as I have quoted him above, p. 52-53, sets down (ii. 29) cases in which he is not to be obeyed. An illustration may be given in political history in the discussions which took place years ago as to the force of the Sovereign's Coronation Oath to uphold the Established Church. The words were large and general, and seemed to preclude any act on his part to the prejudice of the Establishment; but lawyers succeeded at length in making a distinction between the legislative and executive action of the Crown, which is now generally accepted.

These instances out of many similar are sufficient to show what caution is to be observed, on the part of private and unauthorized persons, in imposing upon the consciences of others any interpretation of dogmatic enunciations which is beyond the legitimate sense of the words, inconsistent with the principle that all general rules have exceptions, and unrecognized by the Theological *Schola*.

12. From these various considerations it follows, that Papal and Synodal definitions, obligatory on our faith, are of rare occurrence; and this is confessed by all sober theologians. Father O'Reilly, for instance, of Dublin, one of the first theologians of the day, says:—

"The Papal Infallibility is comparatively seldom brought into action. I am very far from denying that the Vicar of Christ is largely assisted by God in the fulfilment of his sublime office, that he receives great light and strength to do well the great work entrusted to him and imposed on him, that he is continually guided from above in the government of the Catholic Church. But this is not the meaning of Infallibility... What is the use of dragging in the Infalli-

bility in connexion with Papal acts with which it has nothing to do? Papal acts, which are very good and very holy, and entitled to all respect and obedience, acts in which the Pontiff is commonly not mistaken, but in which he could be mistaken and still remain infallible in the only sense in which he has been declared to be so." (The *Irish Monthly*, Vol. ii. No. 10, 1874.)*

This great authority goes on to disclaim any desire to minimize, but there is, I hope, no real difference between us here. He, I am sure, would sanction me in my repugnance to impose upon the faith of others more than what the Church distinctly claims of them: and I should follow him in thinking it a more scriptural, Christian, dutiful, happy frame of mind, to be easy, than to be difficult, of belief. I have already spoken of that uncatholic spirit, which starts with a grudging faith in the word of the Church, and determines to hold nothing but what it is, as if by demonstration, compelled to believe. To be a true Catholic a man must have a generous loyalty towards ecclesiastical authority, and accept what is taught him with what is called the *pietas fidei*, and only such a tone of mind has a claim, and it certainly has a claim, to be met and to be handled with a wise and gentle *minimism*. Still the fact remains, that there has been of late years a fierce and intolerant temper abroad, which scorns and virtually tramples on the little ones of Christ.

I end with an extract from the Pastoral of the Swiss Bishops, a Pastoral which has received the Pope's approbation.

"It in no way depends upon the caprice of the Pope, or upon his good pleasure, to make such and such a doctrine, the object of a dogmatic definition. He is tied up and limited to the divine revelation, and to the truths which that revelation contains. He is tied up and limited by the

* *Vid.* Fessler also; and I believe Father Perrone says the same.

Creeds, already in existence, and by the preceding definitions of the Church. He is tied up and limited by the divine law, and by the constitution of the Church. Lastly, he is tied up and limited by that doctrine, divinely revealed, which affirms that alongside religious society there is civil society, that alongside the Ecclesiastical Hierarchy, there is the power of temporal Magistrates, invested in their own domain with a full sovereignty, and to whom we owe obedience in conscience, and respect in all things morally permitted, and belonging to the domain of civil society."

§ 10. Conclusion.

I have now said all that I consider necessary in order to fulfil the task which I have undertaken, a task very painful to me and ungracious. I account it a great misfortune, that my last words, as they are likely to be, should be devoted to a controversy with one whom I have always so much respected and admired. But I should not have been satisfied with myself, if I had not responded to the call made upon me from such various quarters, to the opportunity at last given me of breaking a long silence on subjects deeply interesting to me, and to the demands of my own honour.

The main point of Mr. Gladstone's charge against us is that in 1870, after a series of preparatory acts, a great change and irreversible was effected in the political attitude of the Church by the third and fourth chapters of the Vatican *Pastor Æternus*, a change which no state or statesman can afford to pass over. Of this cardinal assertion I consider he has given no proof at all; and my object throughout the foregoing pages has been to make this clear. The Pope's infallibility indeed and his supreme authority have in the Vatican *capita* been declared matters of faith; but his prerogative of infallibility lies in matters speculative, and his prerogative of authority is no infallibility, in laws, commands, or measures. His infallibility bears upon the domain of thought, not directly of action, and while it may fairly exercise the theologian, philosopher, or man of science, it scarcely concerns the politician. Moreover, whether the recognition of his infallibility in doctrine will increase his actual power over the faith of Catholics, remains to be seen, and must be determined by the event; for there are gifts too large and too fearful to be handled freely. Mr. Gladstone seems to feel this, and therefore insists upon the increase made by the Vati-

can definition in the Pope's authority. But there is no real increase; he has for centuries upon centuries had and used that authority, which the Definition now declares ever to have belonged to him. Before the Council there was the rule of obedience, and there were exceptions to the rule; and since the Council the rule remains, and with it the possibility of exceptions.

It may be objected that a representation such as this, is negatived by the universal sentiment, which testifies to the formidable effectiveness of the Vatican decrees, and to the Pope's intention that they should be effective; that it is the boast of some Catholics and the reproach levelled against us by all Protestants, that the Catholic Church has now become beyond mistake a despotic aggressive Papacy, in which freedom of thought and action is utterly extinguished. But I do not allow this alleged unanimous testimony to exist. Of course Prince Bismarck and other statesmen such as Mr. Gladstone, rest their opposition to Pope Pius on the political ground; but the Old-Catholic movement is based, not upon politics, but upon theology, and Dr. Dollinger has more than once, I believe, declared his disapprobation of the Prussian acts against the Pope, while Father Hyacinth has quarrelled with the anti-Catholic politics of Geneva. The French indeed have shown their sense of the political support which the Holy Father's name and influence would bring to their country; but does any one suppose that they expect to derive support definitely from the Vatican decrees, and not rather from the *prestige* of that venerable Authority, which those decrees have rather lowered than otherwise in the eyes of the world? So again the Legitimists and Carlists in France and Spain doubtless wish to associate themselves with Rome; but where and how have they signified that they can turn to profit the special dogma of the Pope's infallibility, and would not have been better pleased to be rid of the controversy which it has occasioned? In fact, instead of there being a universal impression that the proclamation of his infallibility and supreme authority has strengthened the Pope's secular position in Europe, there is room for sus-

pecting that some of the politicians of the day, (I do not mean Mr. Gladstone) were not sorry that the Ultramontane party was successful at the Council in their prosecution of an object which those politicians considered to be favourable to the interests of the Civil Power. There is certainly some plausibility in the view, that it is not the "Curia Romana," as Mr. Gladstone considers, or the 'Jesuits," who are the "astute" party, but that rather they are themselves victims of the astuteness of secular statesmen.

The recognition, which I am here implying, of the existence of parties in the Church reminds me of what, while I have been writing these pages, I have all along felt would be at once the *primâ facie* and also the most telling criticism upon me. It will be said that there are very considerable differences in argument and opinion between me and others who have replied to Mr. Gladstone, and I shall be taunted with the evident break-down, thereby made manifest, of that topic of glorification so commonly in the mouths of Catholics, that they are all of one way of thinking, while Protestants are all at variance with each other, and by that very variation of opinion can have no ground of certainty severally in their own.

This is a showy and serviceable retort in controversy; but it is nothing more. First, as regards the arguments which Catholics use, it has to be considered whether they are really incompatible with each other; if they are not, then surely it is generally granted by Protestants as well as Catholics, that two distinct arguments for the same conclusion, instead of invalidating that conclusion, actually strengthen it. And next, supposing the difference to be one of conclusions themselves, then it must be considered whether the difference relates to a matter of faith or to a matter of opinion. If a matter of faith is in question I grant there ought to be absolute agreement, or rather I maintain that there is; I mean to say that only one out of the statements put forth can be true, and that the other statements will be at once withdrawn by their authors, by virtue of their being Catholics, as soon as they

learn on good authority that they are erroneous. But if the differences which I have supposed are only in theological opinion, they do but show that after all private judgment is not so utterly unknown among Catholics and in Catholic Schools, as Protestants are desirous to establish.

I have written on this subject at some length in Lectures which I published many years ago, but, it would appear, with little practical effect upon those for whom they were intended. "Left to himself," I say, "each Catholic likes and would maintain his own opinion and his private judgment just as much as a Protestant; and he has it and he maintains it, just so far as the Church does not, by the authority of Revelation, supersede it. The very moment the Church ceases to speak, at the very point at which she, that is, God who speaks by her, circumscribes her range of teaching, then private judgment of necessity starts up; there is nothing to hinder it.... A Catholic sacrifices his opinion to the Word of God, declared through His Church; but from the nature of the case, there is nothing to hinder him having his own opinion and expressing it, whenever, and so far as, the Church, the oracle of Revelation, does not speak.*

In saying this, it must not be supposed that I am denying what is called the *pietas fidei*, that is, a sense of the great probability of the truth of enunciations made by the Church, which are not formally and actually to be considered as the "Word of God." Doubtless it is our duty to check many a speculation, or at least many an utterance, even though we are not bound to condemn it as contrary to religious truth. But, after all, the field of religious thought which the duty of faith occupies, is small indeed compared with that which is open to our free, though of course to our reverent and conscientious, speculation.

I draw from these remarks two conclusions; first as regards Protestants,—Mr. Gladstone should not on the one hand declaim against us as having "no mental freedom," if the periodical press on the other hand is to mock us as admitting a liberty of private judgment, purely Pro-

* *Vide* "Difficulties felt by Anglicans." Lecture X.

testant. We surely are not open to contradictory imputations. Every note of triumph over the differences which mark our answers to Mr. Gladstone is a distinct admission that we do not deserve his injurious reproach that we are captives and slaves of the Pope.

Secondly, for the benefit of some Catholics, I would observe that, while I acknowledge one Pope, *jure divino*, I acknowledge no other, and that I think it a usurpation, too wicked to be comfortably dwelt upon, when individuals use their own private judgment, in the discussion of religious questions, not simply "abundare in suo sensu," but for the purpose of anathematizing the private judgment of others.

I say there is only one Oracle of God, the Holy Catholic Church and the Pope as her head. To her teaching I have ever desired all my thoughts, all my words to be conformed; to her judgment I submit what I have now written, what I have ever written, not only as regards its truth, but as to its prudence, its suitableness, and its expedience. I think I have not pursued any end of my own in anything that I have published, but I know well, that, in matters not of faith, I may have spoken, when I ought to have been silent.

And now, my dear Duke, I release you from this long discussion, and, in concluding, beg you to accept the best Christmas wishes and prayers for your present and future from

Your affectionate Friend and Servant,

JOHN HENRY NEWMAN.

The Oratory,
Dec. 27, 1874.

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